

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA, : CASE NO. 1:18-cr-0043  
:  
Plaintiff, :  
vs. : IN-PERSON TRIAL  
: PROCEEDINGS  
YANJUN XU, also known as XU :  
YANJUN, also known as QU HUI, : 21st of OCTOBER, 2021  
also known as ZHANG HUI, : 9:43 A.M.  
:  
Defendant. : DAY 4

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE TIMOTHY S. BLACK, JUDGE

APPEARANCES:

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11 Also present: Mae Harmon, Interpreter  
12 Robin Murphy, Interpreter via telephone  
13 Yanjun Xu, Defendant.

14 Law Clerk: Cristina V. Frankian, Esq.

15 Courtroom Deputy: Rebecca Santoro

16 Stenographer: Julie Hohenstein, RPR, RMR, CRR  
17 United States District Court  
18 200 West Second Street  
19 Dayton, Ohio 45402

20 Proceedings reported by mechanical stenography,  
21 transcript produced by computer.

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BRADLEY HULL

DIRECT

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1 P-R-O-C-E-E-D-I-N-G-S

9:43 A.M.

2  
3 COURTROOM DEPUTY: All rise. This United States  
4 District Court for the Southern District of Ohio is now in  
5 session. The Honorable Timothy S. Black, District Judge,  
6 presiding.

7 THE COURT: Please be seated. Good morning. We  
8 are here in the open courtroom on the record. Quarter to  
9 ten in the continuation of United States of America versus  
10 Xu.

11 The Government team is present in full. Defense  
12 team is present in full. Defendant is present with his  
13 interpreter.

14 We have arranged for a second interpreter to be  
15 court provided, and it's my understanding that she will be  
16 interpreting everything by phone into the Defendant's ears.

17 I want to pause and ask the Defendant through  
18 counsel whether this is working?

19 MR. MIEDEL: Your Honor, Florian Miedel. Could I  
20 have just a moment with Ms. Frankian?

21 THE COURT: Yes.

22 (Mr. Miedel confers with Ms. Frankian.)

23 (The Court confers with Ms. Frankian.)

24 THE COURT: So I've been advised to ask the  
25 question again of the Defendant through counsel. Is the

1 current interpretation process working?

2 THE INTERPRETER: (Interpreting from English to  
3 Mandarin Chinese.)

4 MR. FLORIAN: Your Honor, I think the problem is  
5 that the microphone that picks up Mr. Xu's voice also picks  
6 up what's in the, in the courtroom; and so it creates  
7 feedback, and so we're trying -- I think we're just trying  
8 to work out that technical issue. Otherwise it should be  
9 fine.

10 THE COURT: So should I chill for a moment? This  
11 is your opportunity to tell a Federal Judge to chill.  
12 (Laughter.)

13 MR. MIEDEL: You can chill for a moment, Judge.

14 THE COURT: Very well. We'll go off the record.  
15 (Discussion held off the record.)

16 MR. MIEDEL: All right, Judge. I think we're ready  
17 to go.

18 THE COURT: The interpretation is working to the  
19 satisfaction of the Defense; is that right?

20 MR. MIEDEL: That's correct.

21 THE COURT: Ms. Frankian, do I need to inquire of  
22 the interpreter how she's doing?

23 MS. FRANKIAN: Judge, I don't know that she can  
24 respond unless she responds through Mr. Xu.

25 THE COURT: I need to administer the oath.

1 MS. FRANKIAN: Oh. I don't know how we're going to  
2 do that.

3 THE COURT: She can hear me; correct?

4 MS. FRANKIAN: Yes.

5 THE COURT: And her first name is Robin?

6 MS. FRANKIAN: Robin Murphy.

7 THE COURT: Ms. Murphy, this is Judge Black. Would  
8 you raise your right hand. Do you solemnly swear or affirm  
9 that you will accurately translate these proceedings today?

10 INTERPRETER ROBIN MURPHY: Yes, I do.

11 THE COURT: Thank you. We're going to have to go  
12 slower and take more frequent breaks because it's exhausting  
13 for the translator, and I want to be sure it's working  
14 properly.

15 We're all advised to speak slowly. When you ask a  
16 question, pause. The interpreter will interpret it, and  
17 then you'll get your answers. So we're going to take a  
18 break in about 30 minutes.

19 I'm going to call for the Jury. What does the  
20 Defense propose I tell the Jury about the addition of a  
21 second interpreter, if anything, and the need for us to take  
22 more regular breaks?

23 MR. McBRIDE: Your Honor, I suggest that the Court  
24 explain to the Jurors that this is for the benefit of the  
25 process. That Mr. Xu is fully aware of the proceedings

1       today, and that the Court has provided this for him because  
2       he was becoming -- he was starting to have difficulty  
3       keeping up with the evidence as it came in.

4               THE COURT: Is the Government comfortable with that  
5       approach? Take a moment if you wish to whisper.

6               MR. MANGAN: Your Honor, I don't know that we need  
7       to get into the reasons. If the Court wants to explain to  
8       them that there is going to be an additional translator and  
9       that may slow things down, I think that would be enough to  
10      inform them.

11              They will -- I believe we will have somebody  
12      in-person next week, and then obviously they would see it in  
13      realtime that they are going to have an additional  
14      translator here.

15              THE COURT: I'm inclined to be as succinct as I  
16      can. Are you comfortable with the Government -- with what  
17      the Government has suggested, Mr. McBride?

18              MR. McBRIDE: Yes, sir.

19              THE COURT: Very well. I'll do the best I can.

20              MR. McBRIDE: Thank you.

21              THE COURT: Let's call for the Jury, please. Is  
22      Mr. Kohnen here today?

23              MR. McBRIDE: He is, sir.

24              MR. KOHNEN: Good morning, Your Honor.

25              THE COURT: Good morning, Mr. Kohnen.



**SPECIAL AGENT BRADLEY HULL -- DIRECT**

9

1 COURTROOM DEPUTY: All rise for the Jury.

2 (Jury entered the Courtroom.)

3 THE COURT: All 15 Jurors have arrived. You may  
4 all be seated. To the 15 Jurors, good morning. Thank you  
5 for your continued participation, attention, and patience.

6 We've arranged for a second interpreter to assist  
7 the process. We're going to have to take more frequent  
8 breaks, so this morning we're going to take a break pretty  
9 quickly after 30 minutes, and at this point the Government  
10 has the opportunity to call its next witness.

11 MR. MANGAN: Your Honor, the Government calls  
12 Special Agent Bradley Hull.

13 THE COURT: If that gentleman would approach the  
14 witness stand? And if you'd pause and raise your right hand  
15 for the oath.

16 **BRADLEY HULL, GOVERNMENT'S WITNESS, SWORN**

17 THE WITNESS: I do.

18 THE COURT: Very well. You may be seated at the  
19 stand. Get yourself acclimated close to the microphone.  
20 Mr. Mangan, you may proceed slowly.

21 MR. MANGAN: Thank you, Your Honor.

22 **DIRECT EXAMINATION**

23 **BY MR. MANGAN:**

24 **Q** Good morning, sir. Can you state your full name and  
25 spell your last name?

**SPECIAL AGENT BRADLEY HULL -- DIRECT**

**10**

1     **A**       My name is Bradley Douglas Hull, H-U-L-L.

2     **Q**       And where do you work?

3     **A**       I work in the Cincinnati Division of the Federal  
4     Bureau of Investigation.

5     **Q**       What is your job title?

6     **A**       I'm a Supervisory Special Agent.

7     **Q**       And do you work in a particular area?

8     **A**       I do. I specialize in counterintelligence  
9     investigations.

10    **Q**       Special Agent Hull, what is counterintelligence?

11    **A**       Counterintelligence is a very broad investigative  
12    scope within the F.B.I. We cover everything from espionage  
13    investigations, which is when someone is spying inside the  
14    United States Government, through to things like trade  
15    control investigations when controlled commodities would be  
16    leaving the United States and sort of everything in between.

17            THE COURT: I'm going to ask you to be slow in your  
18    answers.

19    **BY MR. MANGAN:**

20    **Q**       Special Agent Hull, can you explain your educational  
21    background?

22    **A**       Yes. I hold an undergraduate degree from the  
23    University of Edinburgh in Scotland. I hold a Master's  
24    degree in Art with Honors from the University of Edinburgh  
25    in Scotland. I hold a Master's degree in Science from the

**SPECIAL AGENT BRADLEY HULL -- DIRECT**

**11**

1 University of Wisconsin at Madison, and I hold a Doctorate  
2 from the University of Oxford in England.

3 **Q** And explain what was the field for your Doctorate in  
4 Oxford?

5 **A** It was archeology and the stable isotope geochemistry.

6 **Q** All right. And for a time, did you teach while in  
7 Oxford?

8 **A** Yes.

9 **Q** What state are you originally from?

10 **A** I'm proudly from Ohio.

11 **Q** All right. Special Agent Hull, after leaving Oxford,  
12 did you begin working at the F.B.I.?

13 **A** Yes.

14 **Q** In what division?

15 **A** The Laboratory Division at Quantico, Virginia.

16 **Q** And was that as a scientist?

17 **A** Yes.

18 **Q** Okay. At some point did you become a Special Agent?

19 **A** Yes.

20 **Q** What year was that?

21 **A** 2010.

22 **Q** In your career as a Special Agent, what types of cases  
23 have you investigated?

24 **A** Exclusively counterintelligence investigations.

25 **Q** Have you received ongoing training from the F.B.I. in

**SPECIAL AGENT BRADLEY HULL -- DIRECT**

**12**

1 counterintelligence?

2 **A** Yes.

3 **Q** In what field offices have you worked in?

4 **A** I've served in the Boston Division and the Cincinnati  
5 Division.

6 **Q** All right. And what is your current squad?

7 **A** I supervise the Counterintelligence Squad in Southern  
8 and Southwestern Ohio.

9 **Q** Okay. Special Agent Hull, were you involved in the  
10 investigation of the Defendant, Xu Yanjun?

11 **A** Yes, I was the Case Agent.

12 **Q** Were you also involved in the investigation of a  
13 person named David Zheng?

14 **A** Yes.

15 **Q** Can you explain who he is?

16 **A** Dr. Zheng was an employee of GE Aviation based in  
17 Evendale, Ohio.

18 **Q** And what was the nature of your investigation into Dr.  
19 Zheng?

20 **A** We had determined that Dr. Zheng may have been in  
21 contact with an agent of the Chinese Government, and we  
22 investigated thusly.

23 **Q** Was there a particular trip to China that you were  
24 investigating?

25 **A** Yes. A trip in May and June of 2017.

1       **Q**       Now, did you reach out to GE -- excuse me.

2               Did you reach out to GE Aviation for assistance with  
3       that investigation?

4       **A**       Yes.

5       **Q**       And from that information -- or excuse me.

6               And from them did you learn that information had been  
7       downloaded by the employee?

8       **A**       Yes.

9       **Q**       All right. And as part of the investigation, did you  
10      prepare search warrants related to the employee's E-Mail  
11      accounts?

12      **A**       Yes.

13      **Q**       Did you also prepare a search warrant for the home of  
14      the GE employee?

15      **A**       Yes.

16      **Q**       And was that the same date that you interviewed the  
17      employee?

18      **A**       Yes. On November 1st of 2018.

19      **Q**       Was that 2017?

20      **A**       2017. I apologize, yes.

21      **Q**       Okay.

22               (Government's Exhibit 63b marked.)

23               MR. MANGAN: I'm going to ask if we could show the  
24      witness Exhibit 63b?

25               THE COURT: Yes, 63b.

1 (Government's Exhibit 63b was shown on the screen for the  
2 Court and Witness.)

3 **BY MR. MANGAN:**

4 **Q** Agent Hull, do you recognize that?

5 **A** I do.

6 **Q** Can you describe what it is?

7 **A** It is a business card with the name Qu Hui, Associate  
8 with the Jiangsu Association of Science and Technology.

9 **Q** And where did you find this?

10 **A** In the GE Aviation engineer's home.

11 **Q** In his home?

12 **A** In his home, yes, sir.

13 MR. MANGAN: Your Honor, we'd move to admit  
14 Exhibit 63b?

15 THE COURT: Any objection?

16 MR. McBRIDE: No objection.

17 THE COURT: It's admitted.

18 (Government's Exhibit 63b admitted.)

19 MR. MANGAN: May we publish?

20 THE COURT: Yes.

21 (Government's Exhibit 63b was shown on the screen for Jury.)

22 **BY MR. MANGAN:**

23 **Q** Agent Hull, in looking at Exhibit 63b, this is the  
24 English side of the card; correct?

25 **A** It is. On the opposite side was the exact same

1 information in Mandarin Chinese characters.

2 MR. MANGAN: If we could turn to page two?

3 (Government's Exhibit 63b page two was shown on the screen  
4 for Jury.)

5 **BY MR. MANGAN:**

6 **Q** Is that the other side of the card?

7 **A** It is.

8 **Q** Thank you.

9 MR. MANGAN: Can we turn back to page one?

10 (Government's Exhibit 63b page one was shown on the screen  
11 for Jury.)

12 **BY MR. MANGAN:**

13 **Q** You mentioned the name that is on the business card.  
14 Is there also a mobile phone number?

15 **A** There is.

16 **Q** And does that end in the numbers 2316?

17 **A** Yes.

18 **Q** And there's also a website and other E-Mail address  
19 noted as well; do you see that?

20 **A** I do.

21 **Q** And what is the website?

22 **A** HTTP colon back slash back slash www dot stachina dot  
23 org.

24 **Q** And in the nature of your investigation, did you come  
25 across the organization that is listed at the top?

1       **A**       Yes.

2       **Q**       And is that sometimes referred to by initials?

3       **A**       Yes.

4       **Q**       Explain?

5       **A**       For simplicity sake we called it JAST, the Jiangsu  
6       Association for Science and Technology, but it was also  
7       referred to as J-P-A-I-S-T-D, which is on the business card.  
8       It says the Jiangsu Provincial Association For International  
9       Science and Technology Development.

10      **Q**       All right.

11               THE COURT: You need to pause. And you need to  
12      continue to work to go slowly. You may proceed.

13      **BY MR. MANGAN:**

14      **Q**       At the same time you were investigating the GE  
15      employee, did you investigate who had invited him to China?

16      **A**       Yes.

17      **Q**       Why did you do that?

18      **A**       There were hallmarks of the invitation that seemed  
19      suspicious to us at the time.

20      **Q**       Okay. And did the -- after you interviewed the GE  
21      employee, did he retain an attorney?

22      **A**       Yes, he did.

23      **Q**       And did he begin to cooperate in your investigation?

24      **A**       Yes, he did.

25      **Q**       And during this period of cooperation, did the GE



1 employee begin to communicate with the individuals who  
2 invited him?

3 **A** Yes.

4 **Q** Did that include a person by the name of Qu Hui?

5 **A** It did.

6 **Q** And is that same name we just saw on the business  
7 card?

8 **A** It is.

9 **Q** Through those communications, between the GE employee  
10 and this Qu Hui, was a meeting arranged?

11 **A** Yes.

12 **Q** Where was the meeting to occur?

13 **A** It was to occur in Brussels, Belgium.

14 **Q** And when was the meeting set up for?

15 **A** April 1st of 2018.

16 **Q** Were you there for that meeting?

17 **A** Yes.

18 **Q** And who arrived at the meeting location to meet the GE  
19 employee?

20 **A** The Defendant, and a second individual identified as  
21 Xu Heng.

22 **Q** What was the date of that arrest?

23 **A** April 1st of 2018. It was Easter Sunday.

24 **Q** Now, was he arrested in Belgium at the request of the  
25 United States?

1       **A**       Yes.

2       **Q**       And did the arrest occur at the meeting place arranged  
3       through the GE employee?

4       **A**       Yes.

5       **Q**       All right. After the arrest, did you accompany the  
6       Defendant when he was brought to the United States?

7       **A**       Yes. In October of 2018.

8       **Q**       Okay. And did he have -- or excuse me.

9               Did you have custody of his Chinese passport at that  
10       time?

11       **A**       I did.

12       **Q**       All right. And that was seized at the time of the  
13       arrest?

14       **A**       Yes.

15       **Q**       I believe you were here yesterday when a witness was  
16       looking at the original passport; do you recall that?

17       **A**       I do.

18       **Q**       All right.

19               (Government's Exhibit 2c marked.)

20               MR. MANGAN: I'd like to show the witness  
21       Exhibit 2c?

22               THE COURT: Yes.

23               (Government's Exhibit 2c was shown on the screen for the  
24       Court and Witness.)

25       **BY MR. MANGAN:**

1 Q Do you recognize what that is?

2 A It is not on my screen yet. There we go. Yes.

3 Q And what is this?

4 A It is the passport belonging to the Defendant, Xu  
5 Yanjun.

6 Q Are these photos of the passport?

7 A Yes.

8 MR. MANGAN: Your Honor, we'd ask to admit  
9 Exhibit 2c?

10 THE COURT: Any objection?

11 MR. McBRIDE: No objection.

12 THE COURT: It's admitted.

13 (Government's Exhibit 2c admitted.)

14 MR. MANGAN: If we could publish it and zoom in to  
15 the bottom?

16 (Government's Exhibit 2c was shown on the screen for Jury.)

17 **BY MR. MANGAN:**

18 Q Agent Hull, does this state the name of the Defendant?

19 A Yes.

20 Q Does it indicate a province for his home?

21 A Yes. Jiangsu.

22 Q And it has a date of birth as well; correct?

23 A Yes.

24 Q And the year of his birth was 1980?

25 A Correct.

1 MR. MANGAN: Now, if we could turn to page two?  
2 (Government's Exhibit 2c page two was shown on the screen  
3 for Jury.)

4 **BY MR. MANGAN:**

5 **Q** Inside the passport was there also this Schengen Visa?

6 **A** Yes.

7 **Q** Can you explain what a Schengen Visa is?

8 **A** So within the European Union, there's a Schengen Visa  
9 zone. So if you were able to achieve a Visa from one nation  
10 within that treaty, the Schengen treaty, you can travel to  
11 any nation within the Schengen zone without having to have  
12 another passport control.

13 So if you enter through France, you can go to Germany  
14 without showing your passport to anybody else. You have  
15 free access to travel throughout the Schengen zone.

16 **Q** Do you see the date range for this Schengen Visa?

17 **A** I do.

18 **Q** And what is it?

19 **A** It is June 15 of 2017 to September 15 of 2017.

20 **Q** And are you aware of a trip the Defendant took to  
21 France in June of 2017?

22 **A** Yes.

23 **Q** All right. We'll come back to that.

24 MR. MANGAN: If we can turn down to page three?  
25 (Government's Exhibit 2c page three was shown on the screen

1 for Jury.)

2 **BY MR. MANGAN:**

3 **Q** Is this another Schengen Visa?

4 **A** It is.

5 **Q** And what is the date for this Schengen Visa?

6 **A** March the 13 of 2018.

7 **Q** And is this shortly before the meeting time where he  
8 was arrested?

9 **A** Yes.

10 **Q** All right.

11 MR. MANGAN: And then lastly if we can turn to page  
12 five?

13 (Government's Exhibit 2c page five was shown on the screen  
14 for Jury.)

15 **BY MR. MANGAN:**

16 **Q** I believe the witness yesterday was talking about an  
17 additional form that was added to the passport. Is this the  
18 form?

19 **A** Yes.

20 **Q** Can you explain what this is?

21 **A** So when the Defendant was extradited to the United  
22 States, he did not have a Visa to enter the country, so the  
23 Department of Homeland Security issued him a special Parole  
24 to enter the country, and this is that documentation inside  
25 the passport.

1       **Q**       Thank you. Did you also take possession of the credit  
2       card and National ID that was seized?

3       **A**       Yes.

4               MR. MANGAN: Could we publish Exhibit 4c? I  
5       believe it's already admitted.

6               THE COURT: Yes.

7       (Government's Exhibit 4c was shown on the screen for Jury.)

8       **BY MR. MANGAN:**

9       **Q**       Is this the photo of the translated credit card and  
10       National ID?

11       **A**       Yes.

12       **Q**       Does it indicate the same date of birth for the  
13       Defendant?

14       **A**       It does.

15       **Q**       And it also includes a citizenship number; do you see  
16       that?

17       **A**       I do.

18       **Q**       All right. And then there's an address for his home;  
19       do you see that?

20       **A**       I do.

21       **Q**       And is this information that you found in other pieces  
22       of evidence as well?

23       **A**       Yes.

24               MR. McBRIDE: Your Honor, objection. Leading.

25               THE COURT: Overruled. Don't lead the witness.

1 MR. MANGAN: All right. We can take that down.

2 **BY MR. MANGAN:**

3 **Q** You mentioned that someone else was arrested in  
4 Belgium?

5 **A** I did.

6 **Q** Who was that?

7 **A** His name was Xu Heng.

8 **Q** Did he also have a Schengen Visa?

9 **A** Yes.

10 **Q** And what country issued these Schengen Visa to Xu  
11 Yanjun?

12 **A** The Republic of France.

13 **Q** As part of your investigation, did you obtain records  
14 from the country of France related to those Visas?

15 **A** Yes.

16 (Government's Exhibits 11a through 11h marked.)

17 MR. MANGAN: Your Honor, we'd move to admit  
18 Exhibits 11a through h pursuant to a stipulation?

19 THE COURT: Any objection?

20 MR. McBRIDE: No, Your Honor.

21 THE COURT: They're admitted.

22 (Government's Exhibits 11a through 11h admitted.)

23 **BY MR. MANGAN:**

24 **Q** If you could turn to that binder, Agent Hull?

25 **A** (Witness complies.)

1       **Q**       We will only look at a couple of these, but if you  
2       could generally just explain the information that was  
3       produced by France that is in Exhibits 11a through h?

4               THE COURT:   Are we publishing this?

5               MR. MANGAN:   I'm going to pull up a certain one  
6       later, sir.

7               THE COURT:   Very well.

8               THE WITNESS:   So Exhibit 11a is the original  
9       response from the French Government in French related to the  
10      request for the information about the Visas for both Xu  
11      Yanjuan and Xu Heng.

12              11b is an English translation of the same document.

13              And then 11c, d, e, and f are portions of the  
14      rather large (Indicating) amount of material provided by the  
15      French Government.

16      **BY MR. MANGAN:**

17      **Q**       All right.   Thank you.

18              MR. MANGAN:   I'd like to publish Exhibit 11d?

19              THE COURT:   Yes.

20              MR. MANGAN:   If we could go to page four at the  
21      bottom, please?

22      (Government's Exhibit 11d page four was shown on the screen  
23      for Jury.)

24      **BY MR. MANGAN:**

25      **Q**       Agent Hull, was this part of the documents provided by



1 the French Government?

2 **A** Yes.

3 **Q** And for this particular item, can you explain the  
4 title of the document?

5 **A** Is a Registration Card of Permanent Residents.

6 **Q** And what is the name for the person?

7 **A** Xu Yanjun.

8 **Q** Does it have the same birthday we've already seen?

9 **A** Yes.

10 **Q** It has a citizen ID card number. Does that match the  
11 card?

12 **A** It does.

13 **Q** Okay. And if you look down further, do you see an  
14 item where it says Employer?

15 **A** I do.

16 **Q** What is listed as the employer for Xu Yanjun?

17 **A** Nanjing Luote Technology and Information Center.

18 **Q** And was this part of the information submitted to the  
19 French Government for the Visa?

20 **A** Yes.

21 MR. MANGAN: Now, if we could turn to the next page  
22 and look at the bottom?

23 (Government's Exhibit 11d page five was shown on the screen  
24 for Jury.)

25 **BY MR. MANGAN:**

1       **Q**       Okay. Is there a similar form with information for  
2       his wife?

3       **A**       Yes.

4       **Q**       If we look at the top right where it says Relation to  
5       Householder, do you see that?

6       **A**       It says wife.

7       **Q**       Okay. And what is the name?

8       **A**       Zhong Lin.

9       **Q**       All right. Thank you.

10               MR. MANGAN: I'd ask if we could publish  
11       Exhibit 11f?

12               THE COURT: Yes.

13       (Government's Exhibit 11f was shown on the screen for Jury.)

14               MR. MANGAN: We can start with page one.

15               THE COURT: Mr. Mangan, for planning purposes,  
16       we're going to break in about 10 minutes.

17               MR. MANGAN: Yes, sir.

18       **BY MR. MANGAN:**

19       **Q**       Can you explain what this is, Agent Hull?

20       **A**       This is an excerpt of information provided by the  
21       French Government pursuant to the request for a Schengen  
22       Visa for an individual identified as Xu Heng.

23               MR. MANGAN: And if we could turn to page two,  
24       please?

25       (Government's Exhibit 11f page two was shown on the screen

1 for Jury.)

2 **BY MR. MANGAN:**

3 **Q** Can you explain what this item is?

4 **A** This is a copy of the passport of Xu Heng.

5 **Q** All right.

6 MR. MANGAN: And then lastly if we could turn to  
7 page three?

8 (Government's Exhibit 11f page three was shown on the screen  
9 for Jury.)

10 MR. MANGAN: If we can go down to the bottom part  
11 and zoom in?

12 **BY MR. MANGAN:**

13 **Q** What's the name of this document?

14 **A** The Registration Card of Permanent Residents.

15 **Q** And what's the name of the person on the application?

16 **A** Xu Heng.

17 **Q** And what did Xu Heng list as his employer?

18 **A** Said he was unemployed.

19 **Q** All right.

20 MR. MANGAN: We can take that down.

21 **BY MR. MANGAN:**

22 **Q** Agent Hull, can you explain the types of evidence you  
23 gathered in the course of your investigation?

24 **A** We collected E-Mails, iCloud phone backups, as well as  
25 physical devices, to include computers, cellular telephones,

1 and a variety of other media.

2 Q Did you look for E-Mails that communicated with the GE  
3 employee?

4 A Yes.

5 Q Did you identify any Google E-Mails?

6 A Several.

7 Q Okay. Are you familiar with an account called  
8 J-A-S-T-X-Y-J?

9 A Yes.

10 Q All right. And how is that Gmail account tied to your  
11 investigation of the GE employee?

12 A It E-Mailed the GE employee.

13 Q All right. Did you also identify an E-Mail account  
14 called jastquhui?

15 A Yes.

16 Q All right. I believe as we saw from the Agent Vokas,  
17 did the F.B.I. obtain a subscriber information from those  
18 accounts?

19 A We did.

20 Q All right. Did you also identify a Yahoo E-Mail  
21 account?

22 A Yes.

23 (Government's Exhibit 17 marked.)

24 MR. MANGAN: Could we show the witness Exhibit 17?

25 THE COURT: Yes.

1 (Government's Exhibit 17 was shown on the screen for the  
2 Court and Witness.)

3 **BY MR. MANGAN:**

4 **Q** Do you recognize what this is?

5 **A** I do.

6 **Q** What is it?

7 **A** It's a response from Oath, which is a company that  
8 manages the Yahoo E-Mail accounts, with information related  
9 to the account in question, which is quhuill@yahoo.com.

10 MR. MANGAN: Your Honor, we'd move to admit  
11 Exhibit 17?

12 THE COURT: Any objection?

13 MR. McBRIDE: No.

14 THE COURT: It's admitted.

15 (Government's Exhibit 17 admitted.)

16 MR. MANGAN: May we publish?

17 THE COURT: Yes.

18 (Government's Exhibit 17 was shown on the screen for Jury.)

19 **BY MR. MANGAN:**

20 **Q** Agent Hull, can you once, again, read what the E-Mail  
21 account name is?

22 **A** It's quhuill@yahoo.com.

23 MR. MANGAN: And if we could turn to page three of  
24 these records?

25 (Government's Exhibit 17 page three was shown on the screen

1 for Jury.)

2 **BY MR. MANGAN:**

3 **Q** If we look down toward the bottom, do you see an item  
4 called Alternate E-Mail address?

5 **A** I do.

6 **Q** Can you read the alternate E-Mail address?

7 **A** xuyanjun1980@sohu.com.

8 **Q** All right. Thank you. Was this another connection  
9 for you between the name Xu Yanjun and Qu Hui?

10 **A** Yes.

11 **Q** We'd like to show -- excuse me.

12 MR. MANGAN: Show the witness Exhibit 18, please?

13 THE COURT: Very well.

14 (Government's Exhibit 18 marked.)

15 (Government's Exhibit 18 was shown on the screen for the  
16 Court and Witness.)

17 **BY MR. MANGAN:**

18 **Q** Can you explain what this is, Agent Hull?

19 **A** These are the compilations of the subscriber  
20 information provided by the E-Mail service providers to the  
21 F.B.I. for three accounts: The jastxyj@gmail.com account,  
22 the jastquhui@gmail.com account, and the quhuill@yahoo.com  
23 account.

24 MR. MANGAN: Your Honor, we'd move to admit Exhibit  
25 18?

**SPECIAL AGENT BRADLEY HULL -- DIRECT**

**31**

1 THE COURT: Any objection?

2 MR. McBRIDE: I object, Your Honor. Lack of  
3 foundation with the admission of this document.

4 **BY MR. MANGAN:**

5 **Q** Can you explain, Agent Hull, where the information for  
6 this came from?

7 **A** They were provided from the E-Mail companies to the  
8 F.B.I. pursuant to a legal request.

9 **Q** And was that subscriber information then compiled into  
10 this summary?

11 **A** Yes.

12 **Q** All right. And did you review this document?

13 **A** I have.

14 **Q** And compare it with the original subscriber  
15 information?

16 **A** Yes.

17 MR. MANGAN: Your Honor, we'd move to admit  
18 Exhibit 18?

19 THE COURT: Any objection?

20 MR. McBRIDE: No objection.

21 THE COURT: Admitted.

22 (Government's Exhibit 18 admitted.)

23 MR. MANGAN: May we publish?

24 THE COURT: Yes.

25 (Government's Exhibit 18 was shown on the screen for Jury.)

1 BY MR. MANGAN:

2 Q Agent Hull, as we look at the subscriber information,  
3 can you explain the similarities that you saw before --  
4 between the first -- well, between these three accounts?

5 A First, the jastxyj@gmail.com account and the  
6 jastquhui@gmail.com account have the same recovery address,  
7 which is 3025544@qq.com. Also they have the same SMS number  
8 associated with the accounts, which is 861-391-388-2316.

9 And the final account used the Defendant's name and  
10 date of birth, which is xuyanjun1980@sohu.com as its  
11 recovery E-Mail address.

12 Q For the first two accounts, how close in time were  
13 they created?

14 A About five minutes.

15 Q All right. And did they have the same IP address for  
16 setting them up?

17 A Yes.

18 Q We saw a business card earlier. Were there  
19 similarities between the business card you found and the  
20 subscriber information?

21 A Yes. It's the exact same phone number.

22 Q All right. And what was the name on the card?

23 A I apologize. Repeat the question?

24 Q Sure. What was the name on the business card?

25 A Qu Hui.



1       **Q**       All right. Thank you.

2                   MR. MANGAN: We can take that down.

3       **BY MR. MANGAN:**

4       **Q**       Now, pursuant to an F.B.I. warrant, did you obtain  
5 records relating to an iCloud account with the name  
6 jastquhui?

7       **A**       Yes.

8       **Q**       All right. Can you describe what was produced from  
9 that iCloud account?

10      **A**       It was a large amount of data. It included a, a  
11 backup of a telephone as described yesterday. It included  
12 images in a separate folder.

13               Within the phone itself, it had an iCalendar. It had  
14 a contact list, which had roughly 2,000 contacts in it. It  
15 had E-Mails, text messages, WeChat messages. Basically  
16 everything else that would be on anybody's phone.

17      **Q**       You mentioned a phone backup, what type of phone was  
18 backed up?

19      **A**       It was an iPhone 5s.

20      **Q**       And were you able to confirm a match between that  
21 phone and one of the phones recovered in Belgium?

22      **A**       Yes.

23      **Q**       How so?

24      **A**       The IMEI and the phone number associated with the  
25 accounts were the same.

1       **Q**       All right. And in reviewing the content of the Cloud  
2       account, did you find evidence showing that the account was  
3       used by Xu Yanjun?

4       **A**       Yes.

5               MR. McBRIDE: Objection, Your Honor.

6               THE COURT: I'm going to break at this moment. It  
7       is now 10:20. I'll address the objection in due course. I  
8       told you we were going to break quickly, and we are. How  
9       long?

10              MS. FRANKIAN: 20 minutes.

11              THE COURT: We're going to take a 20-minute break.  
12       We'll suggest looking for you at 20 minutes of 11. During  
13       the break, take the break. Don't discuss the case with  
14       anyone, even among yourselves. No independent research.  
15       Continue to keep an open mind.

16              Out of respect for you, we'll rise as you leave.

17              COURTROOM DEPUTY: All rise for the Jury.

18       (Jury exited the Courtroom.)

19              THE COURT: Jury's left the room. The door is  
20       closed. We're going to break for 20 minutes.

21              Did I observe that the Defendant is not using the  
22       interpreter?

23       (Mr. McBride confers with Defendant Yanjun Xu.)

24              MR. McBRIDE: Your Honor, he just removed them from  
25       his head. He is using the interpreter.

1 THE COURT: We'll go into recess.

2 COURTROOM DEPUTY: This Court is now in recess.

3 (Court was in recess at 10:20 a.m. and resumed at 10:50  
4 a.m.)

5 COURTROOM DEPUTY: All rise. This Court's back in  
6 session pursuant to the recess.

7 THE COURT: Thanks. Please be seated.  
8 Government's team is here in full. The Defendant as well.  
9 The Defendant and both interpreters are.

10 Are we ready to get the Jury from the Government's  
11 perspective?

12 MR. MANGAN: We are, Your Honor.

13 THE COURT: And for the Defense?

14 MR. KOHNEN: Yes, Your Honor.

15 THE COURT: All right. I'm going break after  
16 30 minutes. May we call for the Jury, please?

17 Perhaps we should pause. Is the Defense ready?

18 MR. MIEDEL: Yes.

19 THE COURT: We'll call for the Jury, please.

20 COURTROOM DEPUTY: All rise for the Jury.

21 (Jury entered the Courtroom.)

22 THE COURT: You may all be seated. The Jury has  
23 returned. All 15 members. Thank you for your patience and  
24 attention, Jurors.

25 We had a question and an objection. Have you all

1 resolve that?

2 MR. MANGAN: Your Honor, I can back up and take  
3 another run at it.

4 THE COURT: All right. I sustain the objection.  
5 Take another run at it.

6 MR. MANGAN: All right.

7 THE COURT: Special Agent, would you be comfortable  
8 health-wise to take the mask off?

9 THE WITNESS: I would prefer not to, sir.

10 THE COURT: What?

11 THE WITNESS: I would prefer not to, sir.

12 THE COURT: Very well.

13 **BY MR. MANGAN:**

14 **Q** All right. Agent Hull, let me ask you a few more  
15 questions here. We were talking about the jastquhui Cloud  
16 account, if you recall?

17 **A** I do.

18 **Q** And did Apple provide those records to the F.B.I.?

19 **A** Yes.

20 **Q** And were those records made available to you as the  
21 case agent to review?

22 **A** Yes.

23 **Q** You mentioned that there was a phone backup in the  
24 Cloud records?

25 **A** Correct.

1       **Q**       And was that processed by the F.B.I. personnel, like  
2       Agent Vokas?

3               MR. McBRIDE:  Objection, Your Honor.

4               MR. MANGAN:  Basis?

5               THE COURT:  Basis?

6               MR. McBRIDE:  Leading.

7               THE COURT:  Basis?

8               MR. McBRIDE:  Leading, Your Honor.

9               THE COURT:  Overruled.  Please proceed.

10              THE WITNESS:  Yes.

11       **BY MR. MANGAN:**

12       **Q**       Were you able to review the contents of the phone  
13       backup?

14       **A**       I was.

15       **Q**       And were you involved in the process of reviewing the  
16       contents of the Cloud?

17       **A**       Yes.

18       **Q**       And where needed, did you have that -- the contents  
19       translated?

20       **A**       Yes.

21       **Q**       All right.  If you can take a look --

22               MR. MANGAN:  If we can show the witness  
23       Exhibits 21a and b?

24               THE COURT:  Yes.

25       (Government's Exhibits 21a and 21b marked.)

1 MR. MANGAN: If we could start with 21a?  
2 (Government's Exhibit 21a shown on the screen for the Court  
3 and Witness.)

4 **BY MR. MANGAN:**

5 **Q** All right. Agent Hull, do you recognize what this  
6 is?

7 **A** Yes. It is a document in Mandarin Chinese with a  
8 photograph of the Defendant in some type of a uniform, and  
9 21b is the same document translated into English.

10 **Q** With respect to the original pictures in 21a, where  
11 were those found?

12 **A** Within the iPhotos folder from the return from Apple.

13 MR. MANGAN: Your Honor, we'd move to admit  
14 Exhibits 21a and b?

15 THE COURT: Any objection?

16 MR. McBRIDE: No objection, Your Honor.

17 THE COURT: They're admitted.

18 (Government's Exhibits 21a and 21b admitted.)

19 MR. MANGAN: Could we publish Exhibit 21a, page  
20 one?

21 THE COURT: Yes.

22 (Government's Exhibit 21a page one was shown on the screen  
23 for Jury.)

24 **BY MR. MANGAN:**

25 **Q** Agent Hull, can you describe what page one is?

1       **A**       It is a document in Mandarin Chinese with a photograph  
2       of the Defendant in the upper right-hand corner.

3               MR. MANGAN: And if we could turn a couple pages.  
4       Let's turn to page two?

5       (Government's Exhibit 21a page two was shown on the screen  
6       for Jury.)

7               THE WITNESS: (Witness complies.)

8       **BY MR. MANGAN:**

9       **Q**       Can you explain what this is?

10       **A**       It's the Properties of the image from the previous  
11       page.

12       **Q**       All right.

13               MR. MANGAN: And then if we could turn to page  
14       three?

15               THE WITNESS: (Witness complies.)  
16       (Government's Exhibit 21a page three was shown on the screen  
17       for Jury.)

18       **BY MR. MANGAN:**

19       **Q**       What is that?

20       **A**       It's a continuation of the image Properties.

21       **Q**       All right.

22               MR. MANGAN: Please turn to page four.

23       (Government's Exhibit 21a page four was shown on the screen  
24       for Jury.)

25               THE WITNESS: (Witness complies.)

1 BY MR. MANGAN:

2 Q What is this?

3 A It was an additional page of the same document in  
4 Mandarin Chinese.

5 Q All right. And was this a separate image?

6 A Yes.

7 Q Okay. And does the Exhibit 21a sort of continue on  
8 like this?

9 A Yes.

10 Q All right. Let's take a look at the translation.

11 MR. MANGAN: Can we turn -- can we publish  
12 Exhibit 21b?

13 THE COURT: Yes.

14 (Government's Exhibit 21b was shown on the screen for Jury.)

15 BY MR. MANGAN:

16 Q Do you have page one up?

17 A I do.

18 Q All right. Agent Hull, can you read the title of the  
19 document?

20 A Cadre Approval/Removal Appointment Application Form.

21 Q And what is a Cadre?

22 A Indicates you're a member of the Chinese Communist  
23 Party.

24 Q All right. For this form, what is the name  
25 indicated?



1       **A**       Xu Yanjun, the Defendant.

2       **Q**       All right. And moving across the top, is there a date  
3 of birth?

4       **A**       There's a month and a year, September of 1980.

5       **Q**       Is that consistent with the documentation we discussed  
6 earlier?

7       **A**       Yes, it is.

8       **Q**       And does it indicate a Province of Ancestry?

9       **A**       Yes, Jiangsu.

10      **Q**       Now, under Date of Joining the Party, what does it  
11 say?

12      **A**       March of 2001.

13      **Q**       Under Date of Started Working, what does it say?

14      **A**       August of 2001.

15      **Q**       Let's go down to the Education. Do you see where it  
16 says College?

17      **A**       Yes.

18      **Q**       And what does it say below that?

19      **A**       Bachelor Degree in Engineering.

20      **Q**       If we could go to the right. Do you see where it says  
21 Graduation School and Major?

22      **A**       Yes.

23      **Q**       Will you please read what it states?

24      **A**       Institute of Electrical Engineering of Hohai  
25 University, Electrical Engineering and its Automation.

1 Q And if we could move down to where it says Current  
2 Post. Do you see that?

3 A I do.

4 Q Can please read the Current Post?

5 A It says, Deputy Division Director at Sixth Bureau of  
6 Jiangsu Province Ministry of State Security.

7 Q Thank you.

8 MR. MANGAN: If we could now move down to the next  
9 page?

10 (Government's Exhibit 21b page two was shown on the screen  
11 for Jury.)

12 THE WITNESS: (Witness complies.)

13 **BY MR. MANGAN:**

14 Q Thank you. Do you see how this has a list of dates to  
15 the left, Agent Hull?

16 A I do.

17 Q And then a description on the right hand side?

18 A Yes.

19 Q All right. If we could start at the item where it's  
20 in 2003, June of 2003; do you see that?

21 A I do.

22 Q All right. Starting there, can you read the date and  
23 description?

24 A June 2003 to September 2003, Cadre at Fourth Bureau of  
25 Jiangsu Ministry of State Security.

1           September 2003 to August 2006, Staff Member at Fourth  
2 Bureau of Jiangsu Ministry of State Security.

3           August 2006 to August 2009, Senior Staff Member at  
4 Fourth Bureau of Jiangsu Ministry of State Security.

5           August 2009 to August 2010, Deputy Section Chief at  
6 Second Section at Fourth Bureau of Jiangsu Ministry of State  
7 Security.

8           August 2010 to November 2014, Section Chief at Second  
9 Section of Fourth Bureau of Jiangsu Ministry of State  
10 Security -- in parentheses -- the agency renamed to Sixth  
11 Bureau in December, 2013.

12           November 2014 to May 2015, Section Chief at Second  
13 Section of Sixth Bureau of Jiangsu Ministry of State  
14 Security.

15           And, finally, May 2015 to present, Deputy Division  
16 Director at Sixth Bureau of Jiangsu Province Ministry of  
17 State Security.

18   **Q**       All right. Thank you.

19           MR. MANGAN: I'd like to turn to page three of the  
20 document?

21           THE WITNESS: (Witness complies.)  
22 (Government's Exhibit 21b page three was shown on the screen  
23 for Jury.)

24   **BY MR. MANGAN:**

25   **Q**       Again, we are in Exhibit 21b; correct?

1       **A**       Yes.

2                   MR. MANGAN:  If we could forward to the top --  
3       excuse me.  Zoom in a little bit to the top.

4       **BY MR. MANGAN:**

5       **Q**       Do you see where it says, Rewards and Punishment?

6       **A**       I do.

7       **Q**       It says, Commendation in 2009 and 2014.  Third-Class  
8       Merits in 2010.  Second-Class Merits in 2013.  Do you see  
9       that?

10      **A**       I do.

11      **Q**       Did I read that correctly?

12      **A**       Yes, you did.

13      **Q**       If you could read the next line where it states,  
14      Annual Evaluation Results?

15      **A**       Evaluation for 2013 is Competent.  Evaluation for 2014  
16      is Outstanding.

17      **Q**       And if we could move down a little bit on that page  
18      where it indicates Family Members, does it indicate the name  
19      of his wife?

20      **A**       Yes, Zhong Lin.

21      **Q**       All right.  And does that match the name that you saw  
22      on the French Visa documents?

23      **A**       Yes.

24      **Q**       Thank you.  Agent Hull, you've worked in  
25      counterintelligence since 2010, have you ever seen a Cadre

1 form like this before?

2 **A** No. No one has.

3 **Q** Now, are you aware of any other forms like this that  
4 are publicly known?

5 **A** No.

6 **Q** As you conducted your investigation, what was the  
7 significance of this particular document?

8 **A** It identified the Defendant, Xu Yanjun, as  
9 intelligence officer, the People's Republic of China,  
10 Ministry of State Security.

11 **Q** All right. And was it significant to your  
12 investigation that this person was communicating with the GE  
13 employee?

14 **A** Yes.

15 (Government's Exhibit 22 marked.)

16 **BY MR. MANGAN:**

17 **Q** All right. I'd ask you to turn and take a look at  
18 Exhibit 22, if you could?

19 **A** (Witness reviews exhibit.)

20 (Government's Exhibit 22 shown on the screen for the Court  
21 and Witness.)

22 MR. MANGAN: We can take that down.

23 **BY MR. MANGAN:**

24 **Q** As background, Agent Hull, we heard Agent Vokas talk  
25 about UFED Reports; do you recall that?

1       **A**       I do.

2       **Q**       With respect to the 5s backup in the Cloud account,  
3       was that processed like a phone?

4       **A**       It was.

5       **Q**       And were you able to view a UFED Report for that  
6       backup phone?

7       **A**       Yes.

8       **Q**       And could you pull reports from that backup?

9       **A**       Yes.

10      **Q**       All right. Can you describe what Exhibit 22 is?

11      **A**       Exhibit 22 is a UFED Extraction Report for the Apple  
12      iPhone, and it contains a number of images that were  
13      collected from that iPhone backup.

14      **Q**       Okay. And does it show where the photos were found in  
15      that particular backup?

16      **A**       Yes. It includes both the path and the MD5 for each  
17      individual file name.

18      **Q**       All right.  
19      (Government's Exhibits 23 through 28 marked.)

20               MR. MANGAN: And then if you could take a look at  
21      Exhibits 23 through 28?

22               THE WITNESS: (Witness reviews exhibits.)  
23      (Government's Exhibits 23 through 28 shown on the screen for  
24      the Court and Witness.)

25      **BY MR. MANGAN:**

1 Q And describe what those are?

2 A Exhibit 23 is a photograph of the Xu Yanjun National  
3 ID Card, and Exhibit 24, 25, 26, 27, and 28, are photographs  
4 of documents in Mandarin Chinese.

5 Q And do those documents -- or excuse me -- those  
6 photos in Exhibits 23 through 28, are they found in the UFED  
7 Report in Exhibit 22?

8 A Yes.

9 MR. MANGAN: All right. Your Honor, at this time  
10 we'd move to admit Exhibit 22 through 28?

11 THE COURT: Any objection?

12 MR. McBRIDE: We object, Your Honor.

13 THE COURT: Basis?

14 MR. McBRIDE: This gentleman did not do the  
15 extraction, and so there's no connection between the  
16 extraction and the UFED Report.

17 THE COURT: Overruled. You may proceed.

18 (Government's Exhibits 23 through 28 admitted.)

19 MR. MANGAN: Are Exhibits 22 through 28 admitted?

20 THE COURT: Yes.

21 MR. MANGAN: Your Honor, if we could, could we  
22 publish Exhibit 23?

23 THE COURT: Yes.

24 (Government's Exhibit 23 was shown on the screen for Jury.)

25 BY MR. MANGAN:

1       **Q**       Agent Hull, was this one of the photos found on the 5s  
2       backup?

3       **A**       Yes, it is.

4       **Q**       Explain what this is?

5       **A**       It's an image of the reverse side of the Defendant Xu  
6       YanJun's National ID Card.

7       **Q**       And I believe you said you brought the actual card  
8       back with you from Belgium?

9       **A**       I did.

10      **Q**       Does this match the physical card?

11      **A**       It does.

12      **Q**       All right. And is there a page two?

13      **A**       Yes.

14               MR. MANGAN: If we could turn to that?

15       (Government's Exhibit 23 page two was shown on the screen  
16       for Jury.)

17      **BY MR. MANGAN:**

18      **Q**       Is that the reverse of the card?

19      **A**       It is with the Defendant's photograph.

20      **Q**       All right. And, again, just to clarify, where was  
21       this found?

22      **A**       It was an image inside the Apple iCloud backup.

23      **Q**       For which phone?

24      **A**       The 5s.

25      **Q**       All right. Thank you.



1 MR. MANGAN: If we could publish Exhibit 24,  
2 please?

3 THE COURT: Yes.

4 (Government's Exhibit 24 was shown on the screen for Jury.)

5 **BY MR. MANGAN:**

6 **Q** Can you describe what Exhibit 24 is?

7 **A** The first page Exhibit 24 is an image of a document in  
8 Mandarin Chinese. And the second page is an English  
9 translation of the same document.

10 **Q** All right.

11 MR. MANGAN: Could we turn to page two?

12 (Government's Exhibit 24 page two was shown on the screen  
13 for Jury.)

14 **BY MR. MANGAN:**

15 **Q** Is this a translation of that image?

16 **A** Yes, it is.

17 **Q** And, again, where was the image found?

18 **A** Within the iCloud backup for the 5s.

19 **Q** And do you recognize this document?

20 **A** I do.

21 **Q** What is it?

22 **A** It is a City Resident card.

23 **Q** All right. Were there any similarities between this  
24 and any of the documents you found from the French Visa?

25 **A** Yes.

1 Q Can you explain?

2 A We found the same basic document provided by the  
3 French Government for his Visa.

4 Q And, again, on here what does it indicate as the Job  
5 Location?

6 A Nanjing Luote Technology Information Center.

7 Q And what is the name at the top?

8 A Xu Yanjun.

9 Q All right. Does this have the same date of birth for  
10 Mr. Xu Yanjun?

11 A Yes, it does. September 20 of 1980.

12 Q And does it have the same National ID Number?

13 A It does ending in 0015.

14 Q All right. Thank you.

15 MR. MANGAN: We can take that down. May we publish  
16 Exhibit 25?

17 THE COURT: Yes.

18 (Government's Exhibit 25 was shown on the screen for Jury.)

19 **BY MR. MANGAN:**

20 Q Can you explain what Exhibit 25 is?

21 A 25 is another image of a document collected from the  
22 iPhone backup as --

23 MR. MANGAN: If we turn to page two?

24 THE WITNESS: (Witness complies.)

25 (Government's Exhibit 25 page two was shown on the screen

1 for Jury.)

2 **BY MR. MANGAN:**

3 **Q** Is that another image?

4 **A** It is.

5 MR. MANGAN: Let's turn to page three.

6 THE WITNESS: (Witness complies.)

7 (Government's Exhibit 25 page three was shown on the screen  
8 for Jury.)

9 **BY MR. MANGAN:**

10 **Q** Is this yet another image?

11 **A** It is.

12 MR. MANGAN: And turn one more page?

13 THE WITNESS: (Witness complies.)

14 (Government's Exhibit 25 page four was shown on the screen  
15 for Jury.)

16 THE WITNESS: It's another image of the same, same  
17 type.

18 MR. MANGAN: Can we turn to page five, please?

19 (Government's Exhibit 25 page five was shown on the screen  
20 for Jury.)

21 THE WITNESS: It is another image of documents in  
22 Mandarin Chinese.

23 **BY MR. MANGAN:**

24 **Q** And were -- where were all these pictures found?

25 **A** In the iPhone iCloud backup.

1 MR. MANGAN: If we could turn to the translation, I  
2 believe on the next page?

3 (Government's Exhibit 25 page six was shown on the screen  
4 for Jury.)

5 **BY MR. MANGAN:**

6 **Q** Agent Hull, can you describe what you found in the  
7 translation?

8 **A** They're his pay stubs.

9 **Q** All right. And in looking at these pay stubs, for  
10 example, we'll look at the one from the top. What is the  
11 name listed at the top left?

12 **A** Xu Yanjun.

13 **Q** Under Department?

14 **A** Sixth Division.

15 **Q** What is the Pay Period?

16 **A** July 2015.

17 **Q** Let's go through a couple more columns. Is there a  
18 Base Position Pay?

19 **A** Yes, there is.

20 **Q** And is there a Rank Pay?

21 **A** Yes.

22 **Q** And what is the next column over?

23 **A** Law Enforcement Title Pay.

24 **Q** And what was the significance of the Law Enforcement  
25 Title Pay to you?

1     **A**       It indicated -- further indicated type of  
2     employment.

3     **Q**       All right. And you can flip through all the pages.  
4     Generally what is the date range for these pay stubs that  
5     you recovered?

6     **A**       The first is July of 2015. The second is February of  
7     2016. The next is October of 2016.

8     **Q**       Next page?

9     **A**       Is July of 2016. The next is September of 2016. On  
10    the final page, February of 2017.

11    **Q**       All right. Thank you. And did each of these pay  
12    stubs indicate a section for Law Enforcement Title Pay?

13    **A**       It did.

14    **Q**       All right. Thank you.

15               MR. MANGAN: Your Honor, if we can publish  
16    Exhibit 26?

17               THE COURT: Very well.

18    (Government's Exhibit 26 was shown on the screen for Jury.)

19    **BY MR. MANGAN:**

20    **Q**       All right. Agent Hull, can you describe what this  
21    document is?

22    **A**       It is an image of a document with a seal in Mandarin  
23    Chinese. And the second page is the English translation of  
24    the same document.

25    **Q**       And where was this found?

1       **A**       It was found in the photograph section of the iCloud  
2       return from Apple for the 5s.

3       **Q**       All right.

4               MR. MANGAN: Let's turn to the translation, please?  
5       (Government's Exhibit 26 page two was shown on the screen  
6       for Jury.)

7       **BY MR. MANGAN:**

8       **Q**       Agent Hull, can you read the title at the top of the  
9       document?

10      **A**       Provincial Institute Provident Fund Withdrawal  
11      Application.

12      **Q**       And what is the date below that?

13      **A**       March 10, 2017.

14      **Q**       Does the bank withdrawal form indicate an Employer  
15      Name?

16      **A**       Yes.

17      **Q**       What is that?

18      **A**       Jiangsu State Security Department.

19      **Q**       And then to the right, what is the Employee Name?

20      **A**       Xu Yanjun, the Defendant.

21      **Q**       We can go down two rows. Do you see where it says  
22      Identity Card Number?

23      **A**       I do.

24      **Q**       Does that number match the National Identity Card that  
25      we've talked about?

1       **A**       Yes.

2       **Q**       And then it indicates the amount withdrawn; correct?

3       **A**       It does.

4       **Q**       All right. Thank you.

5               MR. MANGAN: If we could take that down. May we  
6 publish Exhibit 27?

7               THE COURT: Before we do -- I'm inclined to take a  
8 break at this time. So, ladies and gentlemen of the Jury,  
9 we're going to break for 15 minutes at my request.

10              During the break do not discuss the case with  
11 anyone or among yourselves. No independent research.  
12 Continue to keep an open mind.

13              Out of respect for you, we'll rise as you leave for  
14 15 minutes.

15              COURTROOM DEPUTY: All rise for the Jury.  
16 (Jury exited the Courtroom.)

17              THE COURT: All right. Jury's left. We're in  
18 recess for 15 minutes. Don't discuss your testimony, Mr.  
19 Witness, please, during the break.

20              COURTROOM DEPUTY: This Court's in recess for  
21 15 minutes.

22              (Court was in recess at 11:14 a.m. and resumed at 11:32  
23 a.m.)

24              COURTROOM DEPUTY: All rise. This Court is back in  
25 session pursuant to the recess.

1 THE COURT: Thank you. Please be seated.  
2 Government's team here. Defense's teams here. Defendant's  
3 here. The Jury is not yet in the room.

4 Is there something that needs my attention outside  
5 the presence of the Jury?

6 MR. McBRIDE: Your Honor, I'd like to raise an  
7 issue, if I may --

8 THE COURT: Yes.

9 MR. McBRIDE: -- and further explain? I objected  
10 to Government's Exhibit Number 22 and the following  
11 photographs that went through it.

12 Agent Hull testified, as I recall, that he went  
13 into an Extraction Report to view those documents. The  
14 Extraction Report was not authenticated yesterday by Mr.  
15 Vokas, but Government's Exhibit 22 shows that the examiner  
16 was a man named Soundappan, and I believe he was located in  
17 African.

18 The Government can't authenticate these documents,  
19 and I move to strike 22 and the following -- and the  
20 relevant documents 23, 24, 25, 26, 27, and 28 -- although I  
21 don't know that they've been admitted yet -- because the  
22 Government did not lay the foundation for those documents  
23 because they did not identify for validate -- pardon me --  
24 lay a foundation for the Extraction Report this agent  
25 reviewed.



1 THE COURT: Does the Government wish to be heard on  
2 the objection?

3 MR. MANGAN: Yes, Your Honor. Agent Vokas  
4 explained yesterday that the Cloud information that was  
5 produced provided a backup for the iCloud -- excuse me --  
6 provided a backup for the 5s phone, and that he processed  
7 that phone in the same way that he would any other phone,  
8 and it turns it then into a UFED Report, which is available  
9 for the agents to then review and read.

10 This is a report that when the agents go to that  
11 UFED Report for the 5s backup, this is where they can pull  
12 off these UFED, you know, various pieces of data from that  
13 5s backup. So this agent has explained that it came from  
14 the same 5s backup. Agent Vokas explained how he --

15 THE COURT: I'm going to ask you to stop for just a  
16 moment. Are we having troubles?

17 MR. MIEDEL: They've been resolved, Your Honor.

18 THE COURT: I'm sorry to have interrupted. Go  
19 ahead, Mr. Mangan, and don't forget to go slowly.

20 MR. MANGAN: I'm sorry.

21 THE COURT: Defense counsel's standing. Are we  
22 okay? Are we hearing the Government?

23 MR. McBRIDE: I'm sorry, Your Honor. I'm fine.  
24 I'm just listening.

25 THE COURT: Okay. Go ahead, Mr. Mangan.

1 MR. MANGAN: Your Honor, what I was stating was  
2 Agent Vokas explained the way Apple produces the iCloud  
3 return, it produces a backup file. He took that file, which  
4 had phone data in it. He then processed it through  
5 Cellebrite, and that creates a UFED Report.

6 The UFED Report was then provided to the agents.  
7 This agent testified that he was able to view that data, and  
8 that this is what they pulled. We believe that's more than  
9 enough foundation for it.

10 THE COURT: I agree. Objection's overruled.

11 MR. McBRIDE: Thank you, Your Honor.

12 THE COURT: May we get --

13 MR. MANGAN: May we -- sorry?

14 THE COURT: What?

15 MR. MANGAN: I don't want to mess up a positive  
16 ruling. I just -- I just noted another point that I failed  
17 to make, but --

18 THE COURT: Go ahead. Make it.

19 MR. MANGAN: When the Defense mentioned a notation  
20 to Africa, that was a notation to the time zone connected to  
21 the Universal Time Zone, so --

22 THE COURT: Very well.

23 MR. MANGAN: Thank you, Your Honor.

24 THE COURT: Can we get the Jury?

25 MR. MANGAN: From our perspective, yes.

1 THE COURT: Defense?

2 MR. McBRIDE: Yes, Your Honor.

3 THE COURT: All right. Let's get the Jury. We're  
4 going to break about noon.

5 COURTROOM DEPUTY: All rise for the Jury.

6 (Jury entered the Courtroom.)

7 THE COURT: You may all be seated. 15 members of  
8 the Jury have rejoined us. Good morning, again. We'll  
9 continue to hear testimony. Mr. Mangan, you may proceed.

10 MR. MANGAN: Thank you, Your Honor.

11 **BY MR. MANGAN:**

12 **Q** Agent Hull, we were walking through a number of  
13 pictures, if you recall. Can you just remind the Jury where  
14 those pictures were recovered?

15 **A** In the iCloud backup provided by Apple. The iPhone  
16 5s.

17 **Q** And was that 5s connected to the physical 5s that was  
18 recovered in Belgium?

19 **A** Yes.

20 **Q** Through the IMEI or any other identifier?

21 **A** And the phone number.

22 **Q** All right.

23 MR. MANGAN: All right. I'll ask if we could  
24 publish Exhibit 27, which I believe the Court has admitted?

25 THE COURT: Yes.

1 (Government's Exhibit 27 was shown on the screen for Jury.)

2 **BY MR. MANGAN:**

3 **Q** Can you describe what this is, Agent Hull?

4 **A** It is a screen capture of a document in Mandarin  
5 Chinese, and --

6 **Q** Can we turn -- I'm sorry.

7 **A** The next page is the English translation of the same.

8 MR. MANGAN: Can we turn to page two?

9 (Government's Exhibit 27 page two was shown on the screen  
10 for Jury.)

11 **BY MR. MANGAN:**

12 **Q** And for this document, do you see where it lists the  
13 name Husband about halfway down?

14 **A** I do.

15 **Q** And what is the name next to that?

16 **A** Xu Yanjun.

17 **Q** Does it list a Political Status?

18 **A** Yes.

19 **Q** What is that?

20 **A** CCP member.

21 **Q** And then to the right where it says Employer and  
22 Position Title, what is listed for Xu Yanjun?

23 **A** Jiangsu State Security Department.

24 **Q** And then at the bottom, where it says, Person filling  
25 out the form, who is that?

1       **A**       Zhong Lin.

2       **Q**       Thank you.

3               MR. MANGAN: You can take that exhibit down. If we  
4 could, please, publish Exhibit 28, please?

5               THE COURT: Yes.

6       (Government's Exhibit 28 was shown on the screen for Jury.)

7       **BY MR. MANGAN:**

8       **Q**       What is this, Agent Hull?

9       **A**       It is an image of a certificate and document with an  
10 official seal in Mandarin Chinese, and page two is the  
11 English translation of the same.

12              MR. MANGAN: If we could turn to page two?

13       (Government's Exhibit 28 page two was shown on the screen  
14 for Jury.)

15       **BY MR. MANGAN:**

16       **Q**       What is the name of the university?

17       **A**       The Nanjing University of Aeronautics and  
18 Astronautics.

19       **Q**       And if we look to the left hand column, do you see  
20 where it says Student Name?

21       **A**       I do.

22       **Q**       And what is the name?

23       **A**       Xu Yanjun.

24       **Q**       And can you read what it says below that?

25       **A**       You have been admitted to our College of Aerospace

1 Engineering Aeronautical Engineering -- parentheses,  
2 Professional Degree, end parentheses -- Degree program as a  
3 Full Time Contractual Training graduate student.

4 **Q** And then what is the date?

5 **A** June of 2016.

6 **Q** And if you see to the right where it says, Identity  
7 Card Number, do you recognize that?

8 **A** I do.

9 **Q** And what is that?

10 **A** It's the same number previously identified on the  
11 Defendant's PRC National ID Card.

12 **Q** Thank you.

13 MR. MANGAN: Now, if we could take that down?

14 **BY MR. MANGAN:**

15 **Q** Let's go back to talking some more about what you  
16 found in the -- this same Cloud account. Was there a  
17 calendar function connected to the account?

18 **A** Yes, there was.

19 **Q** Explain what was found there?

20 **A** It's a calendar on anybody's smartphone. It has  
21 appointments, holidays scheduled, and also in this instance,  
22 it included a lot of entries that were treated a little bit  
23 like a, like a diary almost.

24 **Q** And was that Cloud function available for you to  
25 review?

1       **A**       It was.

2       **Q**       And where did that come from?

3       **A**       The Apple data from the backup of the 5s.

4       **Q**       All right. As you reviewed the calendar function, did  
5       you have that translated?

6       **A**       Yes.

7       **Q**       Okay. And were you able to pull a UFED Report of that  
8       calendar function?

9       **A**       Yes.

10       (Government's Exhibit 29a marked.)

11               MR. MANGAN: If he could have the witness take a  
12       look at Exhibit 29a, please?

13               THE COURT: Yes.

14       (Government's Exhibit 29a shown on the screen for the Court  
15       and Witness.)

16       **BY MR. MANGAN:**

17       **Q**       Can you identify what this is, Agent Hull?

18       **A**       Yes, it's a UFED Extraction Report of the calendar  
19       from the 5s and the Apple data with 1146 calendar entries.

20       **Q**       And are these entries in the Chinese language?

21       **A**       Yes.

22       **Q**       All right.

23               MR. MANGAN: Your Honor, we'd move to admit  
24       Exhibit 29a?

25               MR. McBRIDE: No objection, Your Honor.

1 THE COURT: It's admitted.

2 (Government's Exhibit 29a admitted.)

3 MR. MANGAN: And we're not going to publish this.

4 **BY MR. MANGAN:**

5 Q How many entries were in the calendar?

6 A 1,146.

7 Q And so how many pages are in this report?

8 A 105.

9 Q All right. Did you have the -- this UFED Report  
10 translated?

11 A Yes, we did.

12 (Government's Exhibit 29b marked.)

13 (Government's Exhibit 29b shown on the screen for the Court  
14 and Witness.)

15 **BY MR. MANGAN:**

16 Q Can you take a look at Exhibit 29b?

17 A (Witness reviews exhibit.)

18 Q Do you recognize what that is?

19 A I do.

20 Q What is that?

21 A It's the English translation of the iCalendar report.

22 Q And do these translations also correspond to the same  
23 1,146 entries in the calendar?

24 A Yes, they do.

25 Q All right. And so this is -- is this a complete



1 translation of that calendar?

2 **A** It is.

3 **Q** All right.

4 MR. MANGAN: Your Honor, we'd move to admit  
5 Exhibit 29b?

6 MR. McBRIDE: No objection, Your Honor.

7 THE COURT: It's admitted.

8 (Government's Exhibit 29b admitted.)

9 (Government's Exhibit 29c marked.)

10 (Government's Exhibit 29c shown on the screen for the Court  
11 and Witness.)

12 **BY MR. MANGAN:**

13 **Q** Now, if you could turn, Agent Hull, to Exhibit 29c.  
14 Can you explain what this is?

15 **A** (Witness complies.) 29c is a compilation that we  
16 distilled from the 1,146 calendar entries to selected ones  
17 that we thought were relevant.

18 MR. MANGAN: All right. Your Honor, we'd ask to  
19 move to admit 29c?

20 MR. McBRIDE: No objection, Your Honor.

21 THE COURT: It's admitted.

22 (Government's Exhibit 29c admitted.)

23 MR. MANGAN: If we could just, for example, publish  
24 29c page one?

25 (Government's Exhibit 29c page one was shown on the screen

1 for Jury.)

2 **BY MR. MANGAN:**

3 **Q** As we take a look at this, Agent Hull, were each of  
4 the entries numbered?

5 **A** Yes, and they're also given a category.

6 **Q** Okay. So for here, you mentioned that 29c is, is a  
7 shortened or subset of the full calendar?

8 **A** It is.

9 **Q** Is that why the -- do you notice on the left the  
10 numbers are not in perfect sequence?

11 **A** Correct.

12 **Q** All right. And why is that?

13 **A** We took out things like birthdays and non-relevant  
14 calendar entries.

15 **Q** All right. In the second column where it says  
16 Category, what were the -- some of the categories that you  
17 saw?

18 **A** Personal and work, and we -- and family. We primarily  
19 chose work, not exclusively.

20 **Q** All right. And then for these calendar entries, would  
21 there typically be some period of content in the area called  
22 Subject?

23 **A** Yes.

24 **Q** And then to the right what is the final column?

25 **A** It's the Date.

1       **Q**       All right. In general, can you describe what type of  
2       significance this calendar had to your investigation?

3       **A**       It allowed us to identify other officers from the MSS  
4       as well as meetings with aviation engineers from Chinese  
5       companies and American companies and others.

6       **Q**       So, for example, you mentioned that there was a trip  
7       by the GE employee to China; correct?

8       **A**       Yes.

9       **Q**       What was the date of that employee's presentation?

10      **A**       June the 2nd of 2017.

11               MR. MANGAN: If we could take a look at page five  
12      of Exhibit 29c?

13      (Government's Exhibit 29c page five was shown on the screen  
14      for Jury.)

15               MR. MANGAN: If we could move down to where it says  
16      entry 196?

17      **BY MR. MANGAN:**

18      **Q**       Do you see that highlighted there, sir?

19      **A**       I do.

20      **Q**       Can you read that entry?

21      **A**       Received Zheng. Ji Xiuzhen, participated.

22      **Q**       And what's the date?

23      **A**       June 2 of 2017.

24      **Q**       And where it says, Received Zheng, is that the same  
25      name that the GE employee has?

1       **A**       Yes.

2                   MR. MANGAN:  If we could take a look at the day  
3       before?

4       **BY MR. MANGAN:**

5       **Q**       Do you see an entry dated June 1st, 2017, numbered  
6       198?

7       **A**       I do.

8       **Q**       Can you read what that entry is for the day before the  
9       presentation?

10      **A**       "Afternoon, met with Ji Xiuzhen and Chai Meng to talk  
11      about the plan."

12      **Q**       All right.  Thank you.

13                   MR. MANGAN:  We can take that down.

14      **BY MR. MANGAN:**

15      **Q**       Will we come back to talk about Chai Meng?

16      **A**       We will.

17      **Q**       We saw that there was a, an entry related to a  
18      graduate program in aviation.  Do you recall that?

19      **A**       I do.

20                   MR. MANGAN:  I'm sorry.  If we could -- my  
21      apologies.  Could we put 29c back up, please?

22                   Your Honor, publish page ten?

23                   THE COURT:  Yes.

24      (Government's Exhibit 29c page ten was shown on the screen  
25      for Jury.)

1 BY MR. MANGAN:

2 Q If we look at the calendar reference under line 350.

3 A Yes.

4 Q What was --

5 A It says, "Evening --

6 Q I'm sorry. What was the date of that entry?

7 A December 12, 2016.

8 Q All right. And can you read what the entry is for  
9 that?

10 A "Evening, Zhang Jian of NUAA Mechanics of Material  
11 Department tutored."

12 Q Agent Hull, did you and the other agents find  
13 recordings in that Cloud account?

14 A Yes, we did.

15 Q Did you find any recordings that corresponded to that  
16 date?

17 A Yes.

18 Q And did you have that recording translated?

19 A Yes.

20 Q And did the content correspond with the entry here?

21 A It did.

22 MR. MANGAN: If we could have you take a look at  
23 Exhibits 31a and 31b?

24 (Government's Exhibits 31a and 31b marked.)

25 MR. MANGAN: I believe 31a would just be the

1 placeholder for the recording.

2 Your Honor, we won't be playing the actual  
3 recording.

4 **BY MR. MANGAN:**

5 **Q** Agent Hull, did you review the recording that was  
6 pulled from the iCloud?

7 **A** I did. I -- and I sent it in for translation, which  
8 is what 32 -- or excuse me -- 31b is.

9 **Q** All right. Thank you. And is 31a the recording?

10 **A** It is.

11 **Q** All right.

12 MR. MANGAN: Your Honor --

13 **BY MR. MANGAN:**

14 **Q** And then let me ask you again about 31b. Is this the  
15 translation of that recording?

16 **A** It is.

17 **Q** And, again, was this recording found on the jastquhui  
18 iCloud account?

19 **A** Yes.

20 MR. MANGAN: Your Honor, we'd move to admit 31a and  
21 b?

22 THE COURT: Any objection?

23 MR. McBRIDE: No objection, Your Honor.

24 THE COURT: Admitted.

25 (Government's Exhibits 31a and 31b admitted.)

1 **BY MR. MANGAN:**

2 **Q** All right. Agent Hull, if we could --

3 MR. MANGAN: If we could publish Exhibit 31b and  
4 turn to page four?

5 (Government's Exhibit 31b page four was shown on the screen  
6 for Jury.)

7 **BY MR. MANGAN:**

8 **Q** This is about a 20-page transcript; is that correct?

9 **A** It is.

10 **Q** We won't read all 20 pages, so I promise you that. I  
11 would like to read an excerpt or two.

12 If we could start at page four at the top where it  
13 says:

14 "Otherwise the three of us will all."

15 Do you see that?

16 **A** I do.

17 **Q** And I understand we need to go slowly. How about if  
18 you read the part that is listed for Xu, and I will read the  
19 part for Mr. Zhang?

20 **A** Understood.

21 **Q** All right. "Otherwise the three of us will  
22 all....honestly --"

23 **A** "Right, right."

24 **Q** " -- lose our jobs. Even if you fail the exam, you  
25 still safely keep your job?"

1       **A**       "Still have to do the job!"

2       **Q**       "It's not a must do, this is just icing on the cake."

3       **A**       "Right, right."

4       **Q**       "But if you do this, then...right?"

5       **A**       "Right, right, I understand. That's why my travel, so  
6       --"

7               MR. MANGAN: If we can move down?

8       **BY MR. MANGAN:**

9       **Q**       "Then it will do all three of us in. To be honest in  
10       private, this is simply copyrights violation; right?"

11       **A**       "Right, of course. I understand. That's why --"

12       **Q**       "Because this is trying to steal others' secrets.  
13       Oh?"

14       **A**       "I understand."

15       **Q**       "That's the fact."

16       **A**       "That eh..."

17               MR. MANGAN: If we could zoom in on the bottom?

18       **BY MR. MANGAN:**

19       **Q**       "Maybe it is not your intention..."

20       **A**       "Teacher Zhang, here is what --"

21       **Q**       "Eh?"

22       **A**       "Teacher Zhang, here, Teacher Zhang, let me tell you,  
23       as you know, for a job like mine, we have a lot of  
24       friends out there who, who risk their life to work for  
25       us. I wouldn't let...you rest assured, I definitely



1 keep my responsibility to you. I keep Dean Shen --"

2 Q "You definitely have to be responsible for yourself."

3 A "Right, right."

4 MR. MANGAN: If we could go to next page?

5 (Government's Exhibit 31b page five was shown on the screen  
6 for Jury.)

7 BY MR. MANGAN:

8 Q "But the remark you made that day really scared me..."

9 A "I know, I know."

10 Q "Because you may always do such things, but we don't  
11 usually..?"

12 A "I understand, I know."

13 Q All right. Why don't we stop there. And then I'd  
14 like to --

15 MR. MANGAN: If we could skip to page 12 of that  
16 exhibit?

17 THE WITNESS: (Witness complies.)

18 MR. MANGAN: And we'll start at the top of that  
19 page and read a couple pages there.

20 (Government's Exhibit 31b page 12 was shown on the screen  
21 for Jury.)

22 THE WITNESS: "Xu: Oh, you are going to Cheng Fei,  
23 to 611."

24 BY MR. MANGAN:

25 Q "Mm. Chen Fei. You guys are in frequent contact with

1           them because the confidentiality and security; right?"

2       **A**       "That's true, that er...we were invited to the J-20  
3           first flight."

4       **Q**       Let me stop right there. Agent Hull, do you know what  
5           the J-20 is?

6       **A**       Yes.

7       **Q**       What is it?

8       **A**       It's a fighter aircraft that the People's Liberation  
9           Army Air Force flies.

10      **Q**       All right. Let's resume with reading the transcript.  
11           "Oh?"

12      **A**       "We, the reason I have lots of contacts with Nang  
13           Hang -- parentheses -- NAUU -- to be honest with you,  
14           people in the intelligence like us, we focus on  
15           aviation."

16      **Q**       "Mm."

17      **A**       "The institute used to have a location in downtown.  
18           They moved."

19      **Q**       "Mm."

20      **A**       "They moved outside downtown."

21      **Q**       "How many days you work every week?"

22      **A**       "Ah?"

23      **Q**       "How many days you work every week?"

24      **A**       "We just work five days a week. But sometimes,  
25           sometimes..."

1       **Q**        "You would have emergencies, travel, and handle  
2                   situations?"

3       **A**        "Yeah, we do. When things happen, work over time --"

4       **Q**        "Are there many secret leak incidents?"

5       **A**        "A lot."

6       **Q**        A swear word. "So, can you actually do remote  
7                   monitoring if someone steals secret? So many  
8                   computers, so much networking stuff, you can detect  
9                   everything?"

10      **A**        "Clear throat."

11      **Q**        "That wouldn't be easy?"

12               MR. MANGAN: If we could turn to the next page?  
13               (Government's Exhibit 31b page 13 was shown on the screen  
14               for Jury.)

15               THE WITNESS: Xu: "Nowadays, on the Internet, for  
16               example, they are in indeed -- they are in need of  
17               faculty member. Some Nan Hang -- parentheses,  
18               NUAA, end parentheses -- faculty member posts  
19               something like a picture after work, we basically  
20               need to see it."

21      **BY MR. MANGAN:**

22      **Q**        "You can see all that?"

23      **A**        "Mm. There are indeed too many leaks."

24      **Q**        "Mm, look some faculty members at home, their contact  
25               with the U.S. or U.K., send E-Mails, you can see that

1           too?"

2       **A**       "Yes."

3       **Q**       "You can see! The specific content?"

4       **A**       "Can see all that. Clears throat."

5           MR. MANGAN: If we could scan down?

6       (Government's Exhibit 31b page 13 was shown on the screen  
7       for Jury.)

8       **BY MR. MANGAN:**

9       **Q**       "What about the things that are people's privacies,  
10       you don't care about that?"

11       **A**       "No, we don't care, this aspect --"

12       **Q**       "As long as it's national secrets."

13       **A**       "Because there would be too much private stuff to  
14       handle."

15       **Q**       Then there's a statement from an unidentified female.

16       "Can see personal stuff?"

17       **A**       "Can see personal stuff."

18       **Q**       "So that's brutal."

19       **A**       "That's why the Central Discipline Inspection  
20       Commission usually comes to us when they have  
21       investigations."

22           MR. MANGAN: If we could turn to the next page?

23       (Government's Exhibit 31b page 14 was shown on the screen  
24       for Jury.)

25       **BY MR. MANGAN:**

1 Q "Mm. For sure, since you know the personal stuff."

2 A "Mm. Long pause. See the Big Data these days --"

3 Q "Mm."

4 A "-- just enter the -- parentheses, data of a, end  
5 parentheses -- person into computer, so we can tell  
6 basically all the trails of your activities. If you  
7 use other people's information to get an ID card, that  
8 won't work at all."

9 Q "Because you know everything?"

10 A "We know it all because your behavior patterns can't  
11 be changed."

12 Q "That's right."

13 A "I just need to keep a tap on three sites of yours:  
14 Job, er...home and the places you frequent for fun,  
15 the three locations, that will allow us to pinpoint a  
16 person."

17 Q "So what about criminal cases? Do you guys do that  
18 yourselves? Those criminals are handed to you;  
19 right?"

20 A "We don't work those."

21 Q "Those should be lower level; right?"

22 A "Mm."

23 Q "Hehehe."

24 A "That is not our responsibility."

25 Q "I heard from Department Head Shen, that signature of

1 Chief of -- unintelligible -- is required when you  
2 guys go somewhere and each time you dine out?"

3 **A** "That should be the case."

4 **Q** "Should be."

5 **A** "Dine out is fine. But job like ours, expenses are  
6 guaranteed. Clear throat."

7 **Q** "Your average work are long days. Very long, oh?"

8 MR. MANGAN: If we could turn to the next page?  
9 (Government's Exhibit 31b page 15 was shown on the screen  
10 for Jury.)

11 THE WITNESS: "Xu: We are under great pressure,  
12 because the job of ours is not like you can do it  
13 by sitting at home. Mm. The leadership asks you  
14 to get the materials of U.S., the U.S. F-22 fighter  
15 aircraft, you can't get it by sitting at home."

16 **BY MR. MANGAN:**

17 **Q** "Mm. Clear throat. You also have to flip someone,  
18 travel outside China and take the risk?"

19 **A** "That's correct."

20 **Q** Let's stop there. Agent Hull, are you familiar with  
21 what the U.S. F-22 is?

22 **A** Yes.

23 **Q** And explain to the Jury what that is?

24 **A** It's a U.S. fighter aircraft.

25 **Q** Is it military?

1       **A**       Exclusively.

2       (Government's Exhibit 32a marked.)

3       **BY MR. MANGAN:**

4       **Q**       All right. Thank you. Agent Hull, I'd ask you to  
5       turn and take a look at Exhibit 32, please, starting with  
6       32a?

7               THE COURT: Yes.

8               MR. MANGAN: Just waiting for him to get to it,  
9       Your Honor.

10              THE COURT: Likewise.

11              THE WITNESS: 32a is a UFED Extraction Report  
12       containing 21 SMS text messages from the iCloud account.

13              MR. MANGAN: All right. And if you could display  
14       it for the witness too? Sorry.

15              THE COURT: Yes.

16       (Government's Exhibit 32a shown on the screen for the Court  
17       and Witness.)

18       **BY MR. MANGAN:**

19       **Q**       I'm sorry, Agent Hull. Where did you say the text  
20       messages were found?

21       **A**       From the iCloud account associated with the Apple  
22       material for the iPhone 5s.

23       **Q**       And when you're looking at this UFED Report, are you  
24       able to select certain messages that you want a report  
25       generated for?

1       **A**       Yes.

2       **Q**       And is this report, does it have the original Chinese  
3       version?

4       **A**       It does.

5       **Q**       All right. And --

6       **A**       And a English translation toward the rear of 32a.

7       **Q**       So at the end it has the translations?

8       **A**       It does.

9               MR. MANGAN: Your Honor, we'd move to admit  
10       Exhibit 32a?

11              MR. McBRIDE: No objection, Your Honor.

12              THE COURT: Admitted.

13       (Government's Exhibit 32a admitted.)

14       (Government's Exhibits 32b through 32i marked.)

15       **BY MR. MANGAN:**

16       **Q**       And then if you could take a look at Exhibits 32b  
17       through 32i and explain what those are?

18       **A**       (Witness reviews exhibits.) They are the individual  
19       text messages in English only separated out by sender and  
20       receiver.

21       **Q**       All right.

22              THE COURT: I need to pause at a good moment.

23              MR. MANGAN: This is as good as any, Your Honor.

24              THE COURT: Very well. Members of the Jury, it  
25       appears to be high noon. We're going to take a lunch break.



1 We're going to break until 1:30.

2 During the lunch break, take a break. Don't  
3 discuss the case among yourselves or with anyone else. No  
4 independent research. Continue to keep an open mind.

5 Out of respect for you, we'll rise as you leave  
6 until 1:30.

7 COURTROOM DEPUTY: All rise for the Jury.

8 (Jury exited the Courtroom.)

9 THE COURT: All right. The Jury's left the room.  
10 The door is closed. I'm prepared to recess until 1:30. Is  
11 there anything that requires my attention from you all  
12 before then?

13 MR. MANGAN: No, Your Honor.

14 THE COURT: Defense?

15 MR. McBRIDE: No, Your Honor.

16 THE COURT: Very well. Enjoy lunch. We're in  
17 break until 1:30.

18 COURTROOM DEPUTY: This Court's in recess until  
19 1:30.

20 (Court was in recess at 12:00 p.m. and resumed at 1:34 p.m.)

21 COURTROOM DEPUTY: All rise. This Court is in  
22 session pursuant to the recess.

23 THE COURT: Thank you. Please be seated. We're  
24 back in the open courtroom on the record. The Jury's not  
25 yet joined us.

1 I'm hoping that we can proceed to a 45 minutes --  
2 to 45 minutes of testimony, and then take a 20-minute break.  
3 Come back. Do some more testimony. Then take a 20-minute  
4 break.

5 It's my understanding that the authenticity of  
6 E-Mails are still at issue, but we may not reach it for a  
7 while. Is that accurate from the Government's perspective?

8 MR. MANGAN: I believe that's correct, Your Honor.  
9 I'm not sure exactly when we'll get to it. If it be later  
10 today in the afternoon, and perhaps we could address it at  
11 one of those breaks if you'd like.

12 THE COURT: Is the Defense comfortable with that?  
13 I mean, I'm ready to go. I just want to try and respect the  
14 time of the Jurors and the translator.

15 MR. McBRIDE: Agreed, Your Honor. We're fine with  
16 that.

17 THE COURT: Very well. Are we ready for the Jury  
18 from the Government's perspective?

19 MR. MANGAN: We are.

20 THE COURT: The Defense as well?

21 MR. McBRIDE: Yes, sir.

22 THE COURT: Very well. Let's call for the Jury.

23 COURTROOM DEPUTY: All rise for the Jury.

24 (Jury entered the Courtroom.)

25 THE COURT: You may all be seated. The 15 members

1 of the Jury have rejoined us. Good afternoon. I hope you  
2 had a decent lunch break.

3 We're ready to continue the presentation of  
4 testimony. The witness is still under oath, and he  
5 acknowledges that; is that right, sir?

6 THE WITNESS: Yes, sir.

7 THE COURT: Very well. You may proceed, Mr.  
8 Mangan.

9 MR. MANGAN: Thank you, Your Honor.

10 **BY MR. MANGAN:**

11 **Q** Agent Hull, when we left off, we were taking a look at  
12 Exhibit 32. Just to refresh, we were talking about an  
13 iPhone 5s backup; do you recall that?

14 **A** I do.

15 **Q** And where was that backup found?

16 **A** In the iCloud account belonging to the jastquhui  
17 E-Mail account.

18 **Q** All right. And I believe we also talked about a  
19 business card that was found earlier?

20 **A** We did.

21 **Q** All right. And where was that business card for Qu  
22 Hui found?

23 **A** In the home of the GE Aviation engineer.

24 **Q** Okay. All right. The phone backup that we've been  
25 talking about, what type of phone was it?

1       **A**       It was an iPhone 5s.

2       **Q**       And were you able to match that to one of the phones  
3       recovered in Belgium?

4       **A**       Yes.

5       **Q**       All right. Now, if you could turn back to Exhibit 32?

6               MR. MANGAN: I believe we'd already admitted 32a,  
7       Your Honor, if I'm correct?

8       **BY MR. MANGAN:**

9       **Q**       And I was asking if you could take a look at  
10       Exhibits 32b and 32i. Did you identified text messages in  
11       that iPhone backup?

12       **A**       Yes.

13       **Q**       All right. And can you describe what Exhibits 32b  
14       through 32i are?

15       **A**       They're individual text message chains broken down  
16       from the previous exhibit.

17       **Q**       And do those all come from the original translations  
18       in 32a?

19       **A**       Yes.

20       **Q**       All right.

21               MR. MANGAN: Your Honor, we'd move to admit  
22       Exhibits 32b through 32i?

23               THE COURT: Any objection?

24               MR. McBRIDE: No, Your Honor.

25               THE COURT: They're admitted.

1 (Government's Exhibits 32b through 32i admitted.)

2 MR. MANGAN: May we publish 32b?

3 THE COURT: Yes.

4 (Government's Exhibit 32b was shown on the screen for Jury.)

5 **BY MR. MANGAN:**

6 **Q** Agent Hull, is this one of the text messages recovered  
7 from the 5s backup?

8 **A** Yes.

9 **Q** And what is the phone number that was associated as  
10 the sender?

11 **A** The number ending in 2316.

12 **Q** All right. And, again, as we go through these, will  
13 the statements from that phone number be indicated in blue?

14 **A** Yes.

15 **Q** And any responses would be in a different color?

16 **A** In green.

17 **Q** All right. What is the date of this particular text  
18 message?

19 **A** March 3 of 2014.

20 **Q** Can you read it for the Jury, please?

21 **A** "Academician Ouyang. This is Little Xu of the State  
22 Security Department. I will be on time to meet you  
23 across the street from Nanjing University of Chemical  
24 Technology at five today."

25 **Q** All right. Thank you.

1 MR. MANGAN: If we could publish Exhibit 32b, Your  
2 Honor?

3 THE COURT: Yes.

4 (Government's Exhibit 32b was shown on the screen for Jury.)

5 **BY MR. MANGAN:**

6 **Q** As we look at this, again, Agent Hull, who is this --  
7 oh, I'm sorry. Is that the same?

8 **A** It is.

9 **Q** That's what I was just on. Let me try that again.

10 MR. MANGAN: Could we publish 32c?

11 THE COURT: 32c?

12 (Government's Exhibit 32c was shown on the screen for Jury.)

13 MR. MANGAN: Yeah.

14 THE COURT: Yes. Has 32c been admitted?

15 MR. MANGAN: I thought we just admitted 32b  
16 through 32i?

17 THE COURT: Right. Now what is this?

18 MR. MANGAN: 32c.

19 THE COURT: And we're showing it to the witness?

20 MR. MANGAN: No, Your Honor --

21 THE COURT: Is it b through i or b and i?

22 MR. MANGAN: I was, I was offering 32b through  
23 32i.

24 THE COURT: It's my mistake. Please proceed. You  
25 can show it to the Jury. Perhaps you could blow it up, so

1 to speak.

2 MR. MANGAN: Yes. If he could blow up Exhibit 32c,  
3 please?

4 (Government's Exhibit 32c was shown on the screen for Jury.)

5 **BY MR. MANGAN:**

6 **Q** Agent Hull, what is the date of this text message?

7 **A** September 19 of 2014.

8 **Q** And who is it from?

9 **A** It's from the Defendant, Xu Yanjun.

10 **Q** Can you read the text message, please?

11 **A** "Dean Zhu, I called you earlier, but I couldn't get  
12 through. Could you please notify the qualified  
13 students to send their resumes to this E-Mail address,  
14 Jastxyj@gmail.com by 3 p.m. next Monday --  
15 parentheses, the 22nd, end parentheses -- and have  
16 them include the contact phone numbers in their  
17 resumes. I will notify the students who meet the  
18 requirement for interviews in the afternoon of the  
19 23rd. Thanks, Xu Yanjun."

20 **Q** All right. Thank you, Agent.

21 MR. MANGAN: Your Honor, may we publish 32d?

22 THE COURT: Yes.

23 MR. MANGAN: And we're just going to look at the  
24 top text message, please.

25 (Government's Exhibit 32d was shown on the screen for Jury.)

1 BY MR. MANGAN:

2 **Q** What is the date of this message?

3 **A** September the 19, 2014.

4 **Q** And, Agent Hull, can you read this text message?

5 **A** "Secretary Shen, this is Xu Yanjun of the Provincial  
6 State Security Office and the unit of recruiting is  
7 Ministry of State Security. Work location: Beijing.  
8 Position type: Government employees. Must have taken  
9 the national service examination.

10 They must meet these criteria: Either from the  
11 College of Aeronautics, College of Automation, College  
12 of Aerospace, or related disciplines, under the age of  
13 25, Party member, male, undergraduates or graduate  
14 degrees.

15 For those with Master's degrees, they must have  
16 graduated from a 211 or 985 college or universities  
17 qualified students can send their resumes before  
18 Monday the 22nd to jastxyj@gmail.com.

19 Within the resume please include contact phone  
20 information. I'll contact the qualified students for  
21 interviews in the afternoon of the 23rd."

22 **Q** All right. With respect to that E-Mail account, do  
23 you believe that's a typo there?

24 **A** I do.

25 **Q** All right. Thank you.



1 MR. MANGAN: We can take that down. If we could  
2 take a look at -- Your Honor, could we publish 32e?

3 THE COURT: Yes.

4 (Government's Exhibit 32e was shown on the screen for Jury.)

5 MR. MANGAN: If we could zoom in?

6 **BY MR. MANGAN:**

7 **Q** What is the date of this message?

8 **A** December 10, 2014.

9 **Q** And could you read this age, Agent Hull?

10 **A** "Division Director Cai, the address is Division Six,  
11 Jiangsu Provincial State Security Department, Xu  
12 Yanjun. Thanks."

13 **Q** All right. Thank you.

14 MR. MANGAN: We'll take that down. Your Honor, may  
15 we publish 32f?

16 THE COURT: Yes.

17 (Government's Exhibit 32f was shown on the screen for Jury.)

18 **BY MR. MANGAN:**

19 **Q** And who is this message from?

20 **A** The Defendant, Xu Yanjun.

21 **Q** And what is the date?

22 **A** August 25, 2015.

23 **Q** And can you read the message, please?

24 **A** "Director Wang, I am Xu Yanjun of the Jiangsu Bureau.  
25 Thanks."

1 Q Thank you.

2 MR. MANGAN: Let's take that down. Your Honor, may  
3 we publish 32g?

4 THE COURT: Yes.

5 (Government's Exhibit 32g was shown on the screen for Jury.)

6 **BY MR. MANGAN:**

7 Q And who is this message from?

8 A The Defendant, Xu Yanjun.

9 Q And this is dated November 29, 2014; correct?

10 A Correct.

11 Q All right. Can you read that, Agent Hull?

12 A "Secretary Xia, this is Xu Yanjun of the State  
13 Security Bureau."

14 Q All right.

15 MR. MANGAN: Your Honor, may we publish  
16 Exhibit 32h?

17 THE COURT: Yes.

18 (Government's Exhibit 32h was shown on the screen for Jury.)

19 **BY MR. MANGAN:**

20 Q And, Agent Hull, is this also from Xu Yanjun?

21 A It is.

22 Q And is it dated December 26, 2013?

23 A Yes.

24 Q Could you read the message for the Jury, please?

25 A "Chief Cheng, this is Little Xu of the Jiangsu State

1           Security Bureau. I am in Yanliang. Will you be in  
2           The institute tomorrow? I would like to see you."

3           MR. MANGAN: And then if we can move to 32i? We --  
4           may we publish?

5           THE COURT: Yes.

6           (Government's Exhibit 32i was shown on the screen for Jury.)

7           BY MR. MANGAN:

8           Q       What is the date of this text message?

9           A       April 1st, 2014.

10          Q       And who is it from?

11          A       The Defendant, Xu Yanjun.

12          Q       Could you read this message, please?

13          A       "Chief Gao, I am Little Xu of the Jiangsu State  
14                   Security Bureau. I will arrive in Yanliang tomorrow  
15                   afternoon. Tao Xiaojiang of the Aircraft Design  
16                   Institute has arranged a vehicle for me, and there are  
17                   no needs to bother you.

18                   Due to the fact that there are a lot of materials on  
19                   flight control, I would like to get -- dedicate one  
20                   half of a day in the morning the day after tomorrow  
21                   for you to arrange for experts to come to my room to  
22                   view the materials.

23                   This way, there will be ample time. The materials  
24                   mainly include flaps, high-lifts, slats, and other  
25                   materials. Thanks."

1 Q Thank you.

2 MR. MANGAN: We can take that down.

3 **BY MR. MANGAN:**

4 Q Agent Hull, have you heard of a communications App  
5 called WeChat?

6 A Yes.

7 Q And are you familiar with it?

8 A I am.

9 Q And can you describe what it is?

10 A The best similarity, imagine a little bit of text  
11 capability mixed with Facebook mixed with a little bit of  
12 Amazon. You can make phone calls inside the App. You can  
13 send text messages back and forth. You can exchange files.  
14 You can do some money transfers. It's a pretty inclusive  
15 application.

16 Q And what is a handle, a WeChat handle?

17 A It's a user generated name often comes with an image  
18 associated with it.

19 Q And in your review of the 5s backup in the Cloud, did  
20 you find WeChats?

21 A Yes.

22 Q And did you find multiple WeChats relating to the  
23 Defendant?

24 A Yes.

25 (Government's Exhibit 33a marked.)

1 (Government's Exhibit 33a shown on the screen for the Court  
2 and Witness.)

3 **BY MR. MANGAN:**

4 **Q** I'll have you take a look at Exhibit 33a?

5 **A** (Witness reviews exhibit.)

6 **Q** Can you describe what these are?

7 **A** It is a UFED Extraction Report of WeChat messages  
8 collected from the Apple iCloud material for the Apple  
9 iPhone 5s --

10 **Q** And --

11 **A** -- in Mandarin, and then the latter half of the  
12 document are the English translations of the same.

13 **Q** Okay. So the original translations are behind the  
14 UFED Report?

15 **A** Yes.

16 **Q** All right. And is the UFED Report in Chinese -- or  
17 at least has Chinese messages?

18 **A** Yes.

19 **Q** All right. And was this with a handle called Surface?

20 **A** Yes.

21 **Q** All right.

22 MR. MANGAN: Your Honor, we'd move to admit  
23 Exhibit 33a?

24 MR. McBRIDE: No objection, Your Honor.

25 THE COURT: It's admitted.

1 (Government's Exhibit 33a admitted.)

2 MR. MANGAN: Your Honor, if we could publish --

3 THE COURT: Yes.

4 MR. MANGAN: -- 33a page one?

5 THE COURT: Yes.

6 (Government's Exhibit 33a page one was shown on the screen  
7 for Jury.)

8 **BY MR. MANGAN:**

9 Q And if we just look at the top one there, Agent Hull,  
10 do you see that?

11 A I do.

12 Q And looking at the, the first WeChat number that's  
13 right underneath participants, do you see it, a number that  
14 starts with WXID?

15 A I do.

16 Q Can you explain what that is?

17 A That is the WeChat code that's generated when the user  
18 creates an account. So that's not something that's created  
19 by the user. That's created by the App itself.

20 Q All right. And so this particular account number ends  
21 with -- do you see the numbers 55311?

22 A I do.

23 Q And is that one of the WeChat handles that you  
24 encountered in the evidence in this case?

25 A Yes, it is.

1       **Q**       And if we could set that aside and go back to one of  
2       the exhibits from the Belgian phones, if we could.

3               MR. MANGAN: Your Honor, could we put up  
4       Exhibit 7c, which I believe has already been admitted?

5               THE COURT: Yes.

6               MR. MANGAN: We'd like to go to the top of page  
7       three, please?

8       (Government's Exhibit 7c page three was shown on the screen  
9       for Jury.)

10      **BY MR. MANGAN:**

11      **Q**       And you can see it on the screen as well, Agent Hull,  
12      if that's easier. Was this one of the WeChats that was  
13      found on the phone in Belgium?

14      **A**       Yes, it was.

15      **Q**       All right. And, again, this is Exhibit 7c. If we  
16      look at the participants for the very top chat. Do you see  
17      the WeChat number that's listed as the owner?

18      **A**       It is. And it ends in 55311.

19      **Q**       Is that the same WeChat account we were just  
20      discussing in the Cloud?

21      **A**       Yes, it is.

22      **Q**       All right. Thank you.

23               MR. MANGAN: We can set that aside. I'd like you  
24      to go back and take a look at Exhibits 33b through 33h.  
25      (Government's Exhibits 33b through 33h marked.)

1 THE WITNESS: (Witness reviews exhibits.) Yes.

2 **BY MR. MANGAN:**

3 **Q** And can you describe what these are?

4 **A** These are the English translations of the same WeChat  
5 messages that were outlined in 33a in English.

6 MR. MANGAN: Your Honor, we would move to admit  
7 Exhibits 33b through 33h?

8 MR. McBRIDE: No objection.

9 THE COURT: They're admitted.  
10 (Government's Exhibits 33b through 33h admitted.)

11 MR. MANGAN: Your Honor, may we publish 33b?

12 THE COURT: Yes.

13 (Government's Exhibit 33b was shown on the screen for Jury.)

14 **BY MR. MANGAN:**

15 **Q** Agent Hull, can you describe -- first of all, who is  
16 this exchange between?

17 **A** It's between an account. Appears to identify the  
18 WeChat account with the username Surface and another account  
19 with the username Juice.

20 **Q** Okay.

21 THE COURT: Yes.

22 A JUROR: Sorry. Our monitor is showing static.

23 THE COURT: The monitor is what?

24 MR. MANGAN: It's showing static, I believe.

25 A JUROR: Everyone else's is good. Ours is messed



1 up.

2 THE COURT: Somebody able to assist who's not my  
3 age? We'll pause off the record.

4 (Discussion held off the record.)

5 THE COURT: We're going to call for IT. They'll be  
6 here momentarily.

7 A JUROR: We can make it work, Your Honor.

8 THE COURT: We can make it work, is that what I  
9 heard?

10 A JUROR: Yes.

11 THE COURT: Thank you. Did you kick it?  
12 (Laughter.)

13 THE COURT: Very well. Jurors are sharing screens  
14 and are prepared to proceed. Mr. Mangan, you may proceed.

15 MR. MANGAN: Thank you, Your Honor.

16 **BY MR. MANGAN:**

17 **Q** Looking at Exhibit 33b, Agent Hull, if we could go  
18 down to the message at the very bottom of the page. Do you  
19 see message on March 30 from Juice, and it states:

20 "June 26, to July 12, medical exam and recuperation at  
21 Taihu. Medical insurance card number and date are  
22 needed."

23 Do you see that?

24 **A** I do.

25 **Q** All right.

1 MR. MANGAN: I'd like to turn to the next page.  
2 (Government's Exhibit 33b page two was shown on the screen  
3 for Jury.)

4 MR. MANGAN: Go to the top.

5 **BY MR. MANGAN:**

6 **Q** And what was sent by the owner Surface?

7 **A** The Jiangsu Province Provincial Government Medical  
8 Card in the name of Xu Yanjun with the photo of the  
9 Defendant.

10 **Q** All right. Did this help confirm that the Surface  
11 WeChat belonged to Mr. Xu?

12 **A** Yes, it did.

13 MR. MANGAN: If we can turn and publish  
14 Exhibit 33c, please?

15 THE COURT: Yes.

16 (Government's Exhibit 33c was shown on the screen for Jury.)

17 **BY MR. MANGAN:**

18 **Q** Who is this chat between?

19 **A** It's between the Surface account associated with Xu  
20 Yanjun and an account associated with Lin 772438.

21 **Q** If you can go through and read the messages -- first  
22 of all, do the messages start on January 14, 2016?

23 **A** They do.

24 **Q** If you could read the messages from the sender, Mr.  
25 Xu. I'll read any responses.

1       **A**       "Send Attachment 1.pic -- parentheses -- Division Six  
2               Cadre Vacation Application Form."

3               "Asked for leave early enough."

4               "Login to my account to buy."

5       **Q**       "Tell me the username and password."

6       **A**       "The username is probably my cell phone number."

7               "Password is xuyanjun1980."

8               MR. MANGAN: If we could turn to the next page?

9               (Government's Exhibit 33c page two was shown on the screen  
10              for Jury.)

11       **BY MR. MANGAN:**

12       **Q**       Was there a document attached?

13       **A**       There was.

14       **Q**       And was that document translated?

15       **A**       It was.

16               MR. MANGAN: If we could turn to the next page?

17               (Government's Exhibit 33c page three was shown on the screen  
18              for Jury.)

19       **BY MR. MANGAN:**

20       **Q**       What is this, sir?

21       **A**       It's a document entitled Division Six Cadre Vacation  
22               Application Form.

23       **Q**       And in whose name?

24       **A**       Xu Yanjun.

25       **Q**       And what is his division?

1       **A**       Division Six.

2       **Q**       And what is his title?

3       **A**       Deputy Division Director.

4       **Q**       And after the vacation information, do you see where  
5       it says Director's Comment?

6       **A**       I do.

7       **Q**       And director -- excuse me -- Department Leader's  
8       Comment? Who is listed next to Director's Comment?

9       **A**       Chen Li.

10      **Q**       All right. And what is the date?

11      **A**       January 14.

12      **Q**       All right. Thank you.

13               MR. MANGAN: If we could skip to Exhibit 33e. May  
14       we publish?

15               THE COURT: Yes.

16       (Government's Exhibit 33e was shown on the screen for Jury.)

17      **BY MR. MANGAN:**

18      **Q**       Who is, who is -- Agent Hull, who are the individuals  
19       in this conversation?

20      **A**       The blue is the Defendant, Xu Yanjun; and the green is  
21       a user with the handle Shanzm0527, and the name Yuanwai.

22      **Q**       All right. If we could read through this, I will read  
23       the messages in green.

24               "Hey, man, I heard you are with the  
25       intelligence?"

1       **A**        "Yes, what's yours."

2       **Q**        "I'm with the information."

3                "Hardship."

4       **A**        "Are you in the system of the 16th Bureau?"

5       **Q**        "M-hum."

6                "You?"

7       **A**        "I'm in the system of the Sixth Bureau."

8                "The Sixth Bureau and the 16th Bureau are in the  
9                same compound."

10               MR. MANGAN: If we could turn to the next page?  
11               (Government's Exhibit 33e page two was shown on the screen  
12               for Jury.)

13               THE WITNESS: "Information is nice job."

14               "We are the actual hardship."

15       **BY MR. MANGAN:**

16       **Q**        "You, hardship -- awkward?"

17       **A**        "We are under lots of stress."

18                "Heavy tasks."

19       **Q**        "More money, though!"

20       **A**        "There are a lot of more money, but dare not to  
21                spend under current situation."

22                "A lot of business charges were returned from our  
23                Division last year."

24                "A Section Chief was transferred from Information  
25                Division to our Division two years ago, now

1           he/she can't stand anymore and wants to be  
2           transferred away."

3           MR. MANGAN: If we could turn to the next page?  
4 I'm sorry. That was the end of that exhibit. Sorry. Thank  
5 you, Your Honor. Oh, this is a continuation.

6           I believe we're on Exhibit 33e; correct? If we  
7 could go to next page?

8           MS. PRIM: It's only two pages.

9           MR. MANGAN: It's only two pages. All right.  
10 Thank you. If we could take -- that's the end of 33e.  
11 Could we publish 33f, please?

12          THE COURT: Yes.

13 (Government's Exhibit 33f was shown on the screen for Jury.)

14 **BY MR. MANGAN:**

15 **Q** All right. For these messages, Agent Hull, is this  
16 between Xu Yanjun and someone at Longrising Assets?

17 **A** Yes.

18 **Q** And what is the date of these messages?

19 **A** February 20, 2016.

20 **Q** And the message in green, does that say:

21 "Are you still with State Security?"

22 **A** It does. And the response from the Defendant:

23 "Yes, nowhere to go."

24 **Q** Thank you.

25          MR. MANGAN: May we publish Exhibit 33g?

1 THE COURT: Yes.

2 (Government's Exhibit 33g was shown on the screen for Jury.)

3 **BY MR. MANGAN:**

4 **Q** Is this a chat between Xu Yanjun and someone named  
5 Vivian?

6 **A** Yes.

7 **Q** All right. Once, again, I will read the item in  
8 green.

9 "Do you have information assessment?" "Picking  
10 nose?"

11 **A** "No."

12 "Ours is intelligence assessment."

13 "For the Ministry."

14 **Q** "M-hum."

15 "Your requirements are high and you have specific  
16 methods and ways?"

17 **A** "We have large investment."

18 "Different directions."

19 "Different focuses, too."

20 MR. MANGAN: If we could turn?

21 (Government's Exhibit 33g page two was shown on the screen  
22 for Jury.)

23 **BY MR. MANGAN:**

24 **Q** "M-hum."

25 "Yours is more professional."

1 "We feel so stressed for information right now."

2 **A** "The same."

3 **Q** "Yours should be much better."

4 **A** "A lot of stress."

5 **Q** "You are also under a lot of stress?" "Awkward."

6 "I've always thought that you were very happy."

7 **A** "So much suffering."

8 **Q** "Awkward."

9 "Really." "Awkward."

10 "In that case, just eat more and drink more..."

11 "Do you deal with Hong Kong?"

12 **A** "Our Division doesn't."

13 "Some others do."

14 **Q** "Okay." "Crying loud." "Crying loud."

15 "Does your Division mostly deal with overseas?"

16 **A** "Right. Science and Technology."

17 **Q** "M-hm, I see."

18 "When will you have time? So that I could learn

19 from you. My treat for a meal?"

20 And is that the end of the exhibit? It -- I'm sorry.

21 Next page.

22 (Government's Exhibit 33g page three was shown on the screen  
23 for Jury.)

24 THE WITNESS: "After the holiday."

25 **BY MR. MANGAN:**



1       **Q**       All right. We can end there. Agent Hull, the  
2       reference there to the Bureau doing Science and Technology,  
3       is that consistent with what Dr. Mulvenon said regarding the  
4       Sixth Bureau?

5       **A**       It is.

6               MR. MANGAN: Lastly, could we publish 33h, please?

7               THE COURT: Yes.

8       (Government's Exhibit 33h was shown on the screen for Jury.)

9       **BY MR. MANGAN:**

10      **Q**       And is this a message between Xu Yanjun and someone  
11      named Gu Ning?

12      **A**       Yes.

13      **Q**       All right.

14              MR. MANGAN: If we could move down to the middle?

15      **BY MR. MANGAN:**

16      **Q**       Let me start with the message dated April 7, 2017, in  
17      green.

18              "Why do you want to find me? Don't you work for  
19      the Ministry of State Security? Isn't it easy to  
20      find me?"

21      **A**       "Why can't we have a normal relationship then?"

22              "Do I have to use special method?"

23      **Q**       All right. We'll stop there.

24              MR. MANGAN: We can take that down.

25      **BY MR. MANGAN:**

1       **Q**       Agent Hull, did these messages help you confirm who  
2       was using that WeChat handle?

3       **A**       Yes, the Defendant, Xu Yanjun.

4       **Q**       And did this provide more confirmation of where he  
5       worked?

6       **A**       It did.

7       **Q**       We talked earlier about a, a Cadre Form. Do you  
8       recall seeing that?

9       **A**       I do.

10      **Q**       And could you remind the Jury of what the job title  
11      was that Mr. Xu had?

12      **A**       Deputy Division Director.

13      **Q**       And in that, there was a reference to a Jiangsu  
14      Province; do you recall that?

15      **A**       I do.

16      **Q**       All right. Do you know what Jiangsu is?

17      **A**       I do.

18      **Q**       What is it?

19      **A**       It's a province in East Central China, just a little  
20      bit to the west of Shanghai.

21      **Q**       All right. And where is -- do you know what Nanjing  
22      is?

23      **A**       It's the provincial capitol of the Province of  
24      Jiangsu.

25      **Q**       All right. And have you seen the term JSSD in some of

1 the communications from the Cloud?

2 **A** Yes.

3 **Q** All right. And what does that refer to?

4 **A** The Jiangsu State Security Department.

5 **Q** Through the various communications and the calendar  
6 entries that we've talked about from this 5s Cloud, did you  
7 find information regarding other colleagues that Mr. Xu  
8 worked with?

9 **A** Yes.

10 **Q** And did that sometimes reflect titles for these  
11 individuals?

12 **A** They did.

13 **Q** Were there ever communications where he referred to  
14 individuals as his boss?

15 **A** Yes.

16 **Q** All right. Let's -- I'd like to help the Jury get  
17 acquainted with certain individuals. What was the name of  
18 the colleague who was with the Defendant in Belgium?

19 **A** Xu Heng.

20 **Q** And that was spelled H-E-N-G?

21 **A** Yes.

22 **Q** Earlier we saw a calendar entry with a person named  
23 Chai Meng; do you recall that?

24 **A** I do.

25 **Q** Was that another individual that you saw in these

1       communications?

2       **A**       Yes.

3       **Q**       Okay. We just saw a vacation form that we just showed  
4       the Jury; do you remember that?

5       **A**       I do.

6       **Q**       And who was listed as the approving individual?

7       **A**       Chen Li.

8       **Q**       All right.

9               MR. MANGAN: I'd like to show the Defendant -- or  
10       excuse me, show the witness Exhibit 37a and 37b, please?

11              THE COURT: Very well.

12       (Government's Exhibits 37a and 37b marked.)

13       (Government's Exhibit 37a shown on the screen for the Court  
14       and Witness.)

15       **BY MR. MANGAN:**

16       **Q**       If you could look at 37a, do you recognize what this  
17       is?

18       **A**       I do.

19       **Q**       And what is it?

20       **A**       It's a message between Xu Yanjun and a telephone  
21       number, ends in 0333.

22              MR. MANGAN: And if we can show the witness  
23       Exhibit 37b?

24              THE COURT: Yes.

25       (Government's Exhibit 37b shown on the screen for the Court

1 and Witness.)

2 **BY MR. MANGAN:**

3 **Q** Do you recognize what this is?

4 **A** It is, it's a UFED Extraction Report containing two  
5 SMS messages from the iCloud account associated with the  
6 Apple iPhone 5s in the original Mandarin.

7 **Q** And does it relate to the same message we just saw?

8 **A** Yes.

9 **Q** All right.

10 MR. MANGAN: Your Honor, we'd move to admit  
11 Exhibits 37a and b?

12 MR. McBRIDE: No objection.

13 THE COURT: Admitted.

14 (Government's Exhibits 37a and 37b admitted.)

15 MR. MANGAN: If we could publish 37b --

16 THE COURT: Yes.

17 MR. MANGAN: -- just for a moment?

18 (Government's Exhibit 37b was shown on the screen for Jury.)

19 **BY MR. MANGAN:**

20 **Q** So the Jury can see this, Agent Hull, is this an  
21 example of what this UFED Report would look like?

22 **A** It is.

23 **Q** And this is for these two particular text messages?

24 **A** Yes.

25 **Q** Okay.

1 MR. MANGAN: Let's go over to 37a then to see the  
2 translation, please?

3 (Government's Exhibit 37a was shown on the screen for Jury.)

4 **BY MR. MANGAN:**

5 **Q** Is there a message from Xu Yanjun?

6 **A** There is.

7 **Q** And is that dated October 21, 2014?

8 **A** Yes.

9 **Q** All right. Without reading every single number that's  
10 in there, could you read the content of the message?

11 **A** "Division Director Luo, this is Xu Yanjun from  
12 Jiangsu Department, Division Director Zha asked  
13 me to send a citizenship identification numbers  
14 to you. Thanks, Song Wenhui, with a PRC number  
15 to follow; Chen Li, with a PRC identification  
16 number to follow; Zha Rong, with a PRC  
17 identification number to follow; and Xu  
18 Yanjun, with a previously identified PRC National  
19 ID Number."

20 **Q** All right. And in the course of reviewing these --  
21 the evidence from this Cloud account, do you help identify  
22 who these other three individuals are with Mr. Xu?

23 **A** Yes.

24 **Q** Who are they?

25 **A** They're his chain of command.

**SPECIAL AGENT BRADLEY HULL -- DIRECT**

**111**

1       **Q**       All right. And Chen Li, was that the individual on  
2       the vacation form?

3       **A**       Yes, it was.

4       **Q**       All right. Did you also review the calendar entries  
5       that Mr. Xu had in the Cloud account?

6       **A**       Yes.

7       (Government's Exhibit 36 marked.)

8       **BY MR. MANGAN:**

9       **Q**       All right. We'd like to have you take a look at  
10      Exhibit 36.

11               MR. MANGAN: Your Honor, may he grab the binder for  
12      that?

13               THE COURT: Yes.

14               MR. MANGAN: Thank you.

15               THE WITNESS: I don't have that binder up here.

16               THE COURT: Is it one of the two there? No.

17               THE WITNESS: No, sir. Oh. I'm sorry. Could you  
18      remind me of the number, please?

19       **BY MR. MANGAN:**

20       **Q**       Exhibit 36, please.

21       **A**       (Witness reviews exhibit.)

22       **Q**       Now, within the -- we talked about the calendar that  
23      was found in the Cloud; correct?

24       **A**       Yes.

25       **Q**       And it had a lot of entries?

1       **A**       1,146.

2       **Q**       All right. From that were you able to cull down that  
3 amount with respect to certain individuals?

4       **A**       Yes.

5       **Q**       Can you explain what Exhibit 36 is?

6       **A**       It's the iCloud calendar with references to Zha Rong,  
7 Chen Li, Song, and other individuals that we identified as  
8 likely working for the Sixth Bureau of the MSS in Jiangsu  
9 Province.

10      **Q**       All right. So is this a subset of the calendar?

11      **A**       Yes.

12      **Q**       And these are just selections?

13      **A**       Yes. It's not the whole 150-some pages.

14               MR. MANGAN: All right. Your Honor, we'd move to  
15 admit Exhibit 36?

16               MR. McBRIDE: No objection.

17               THE COURT: Admitted.

18               (Government's Exhibit 36 admitted.)

19      **BY MR. MANGAN:**

20      **Q**       All right.

21               MR. MANGAN: If we could publish, Your Honor,  
22 please?

23               THE COURT: Yes.

24               (Government's Exhibit 36 was shown on the screen for Jury.)

25      **BY MR. MANGAN:**



1 Q We'd like to start. We're not going to read all of  
2 this. There's a lot of entries, aren't there?

3 A A lot.

4 Q All right. But to give the Jury a sampling, if we  
5 could start on page 11.

6 (Government's Exhibit 36 page 11 was shown on the screen for  
7 Jury.)

8 **BY MR. MANGAN:**

9 Q If I could pick out certain entries by number on left  
10 and then ask you to read them, Agent Hull?

11 A Yes.

12 Q And for each one of these, is there a date indicated?

13 A Yes.

14 Q And where is the date?

15 A On the far right-hand column.

16 Q Okay. So I'd like to start on page 11 with 973. Do  
17 you see that, sir?

18 A I do.

19 Q Can you read the entry for 973, please?

20 A "Evening, Chen Li and Zha Rong held banquet for 606  
21 and 410. Second and Fourth Section attended. And the  
22 day was 7-15 of 2014."

23 Q All right.

24 MR. MANGAN: If we could go to the prior page, page  
25 ten?

1 (Government's Exhibit 36 page ten shown on the screen for  
2 the Court and Witness.)

3 **BY MR. MANGAN:**

4 **Q** We're going to look at number 786.

5 **A** (Witness reviews exhibit.)

6 **Q** And what is the date for this particular entry?

7 **A** March 26, 2015.

8 **Q** Can you read the entry, please?

9 **A** "Talked to Chen Li. Chen stated to add a Deputy  
10 Division Director position and had discussed with Song  
11 and Wang. The predetermined person would be me, but  
12 there are some resistance."

13 **Q** Thank you.

14 MR. MANGAN: Let's turn to page nine.

15 (Government's Exhibit 36 page nine was shown on the screen  
16 for Jury.)

17 **BY MR. MANGAN:**

18 **Q** We'll start at the bottom. Looking at number 762,  
19 please. Is that entry dated April 7, 2015?

20 **A** It is.

21 **Q** And by the way, for the Category on the left, what's  
22 the Category indicated for these?

23 **A** Work.

24 **Q** All right. Please read the entry?

25 **A** "Noon, Chen Li held banquet for Zhang Hongrui and Zha.

1           Second and Fourth Section attended. During the  
2           banquet, Chen mentioned about the newly established  
3           Deputy Division Director position in the Division and  
4           said I could be the one."

5       **Q**     And if we look up from there and look at 757, that's  
6           dated the next day, April 8, could you read that entry,  
7           please?

8       **A**     "Afternoon, the Department held democratic poll for  
9           Deputy Division Director nomination. 12 out of the  
10          whole Department. One from my Division."

11      **Q**     Thank you.

12               MR. MANGAN: I'd like to skip to page seven. Go  
13           back a couple.

14           (Government's Exhibit 36 page seven was shown on the screen  
15           for Jury.)

16      **BY MR. MANGAN:**

17      **Q**     We're going to look at number 617, and what's the date  
18           for that?

19      **A**     September 22, 2015.

20      **Q**     Could you read that entry, please?

21      **A**     "Morning, the Department called democratic  
22           recommendation for Deputy Department Director position  
23           and Deputy Department Director level position. Chen  
24           Li failed to be selected."

25      **Q**     Thank you. The next one we'll do is 582. What's the

1 date?

2 **A** November the 22nd, 2015.

3 **Q** If you could read it, please?

4 **A** "Department Deputy Division Director training  
5 session."

6 **Q** Thank you.

7 MR. MANGAN: Let's turn one page back to page six.  
8 (Government's Exhibit 36 page six was shown on the screen  
9 for Jury.)

10 **BY MR. MANGAN:**

11 **Q** Looking down at the bottom, do you see 478?

12 **A** I do.

13 **Q** Let's read that entry for the Jury.

14 **A** "May 16, 2016. Morning, Song announced that Zha will  
15 temporarily in charge of Sixth Division."

16 **Q** And if we go up from there a little bit, do you see  
17 just the two right above it, 474 and 473?

18 **A** I do.

19 **Q** If you could read those as well?

20 **A** "May 19, 2016. Afternoon, election for Division  
21 Director."

22 "May 23, 2016. Evening, the core members of the  
23 Division, Chen Li, and branch dined together."

24 **Q** All right. If we go two steps up from there to 464.  
25 Is there an entry dated June 6, 2016?

1       **A**       Yes.

2       **Q**       Could you please read that, Agent Hull?

3       **A**       "Morning, the Personnel office reviewed Zha and  
4               assessed my probation period."

5       **Q**       All right. Now, we're just going to go up a little  
6               bit to 435 and 434, and those are both dated August 24,  
7               2016; correct?

8       **A**       Yes.

9       **Q**       All right. If you could read the one on -- well,  
10              either one of them? You can read both?

11      **A**       "Zha's appointment was announced."

12              "My official appointment came. Parentheses -- waited  
13              for too long. It finally came. Took a load off my  
14              mind."

15      **Q**       Okay. And if we look up -- we don't have to  
16              highlight it, but 425, does that say?

17              "Zha's official appointment came?"

18      **A**       It does.

19      **Q**       Let's take a look at number 412 at the very top of the  
20              page. What's the date there?

21      **A**       September 29, 2016.

22      **Q**       Could you read the entry for the Jury, please?

23      **A**       "Zha assigned me to be in charge of Fourth Division."

24      **Q**       Thank you. Now, just a couple more I'd like to take a  
25              look at.

1 MR. MANGAN: If we could go to page three?  
2 (Government's Exhibit 36 page three was shown on the screen  
3 for Jury.)

4 **BY MR. MANGAN:**

5 **Q** Like I said, we won't read a lot of these. There's a  
6 lot in there. If you could take a look at number 244,  
7 please. What's the Category for this?

8 **A** Thoughts.

9 **Q** At times did this calendar seem to read like a diary?

10 **A** It did.

11 **Q** All right. What was the date of this entry?

12 **A** March the 27, 2017.

13 **Q** And could you read the, read the entry, please?

14 **A** "Zha rejected a receipt. Parentheses -- Zha rejected  
15 a meal receipt today. Rebuked Chai Meng. The  
16 ingratitude person like him is shameless. Will  
17 revenge."

18 **Q** If you recall we earlier read an entry from a couple  
19 days before Dr. Zheng's visit to China; do you remember  
20 that?

21 **A** I do.

22 **Q** All right. And where he mentioned meeting with two  
23 individuals?

24 **A** He did.

25 **Q** All right. Do you recall the name of one of those?

1       **A**       Chai Meng.

2       **Q**       Okay. Is that the same name that we see in 244?

3       **A**       It is.

4       **Q**       All right.

5               MR. MANGAN: If we could go up to 223, please?

6       **BY MR. MANGAN:**

7       **Q**       It's dated April 28, 2017; correct?

8       **A**       It is.

9       **Q**       Could you read that one?

10       **A**       Category "Thoughts. Relationship with Zha has dropped  
11               to freezing point. Zha undermine me. I need to  
12               adjust my mindset."

13       **Q**       All right. Thank you.

14               MR. MANGAN: And then if we could go to 219?

15       **BY MR. MANGAN:**

16       **Q**       Are these more thoughts?

17       **A**       Yes.

18       **Q**       And this one's dated May 4, 2017; correct?

19       **A**       It is.

20       **Q**       Could you read this entry, please?

21       **A**       "The big cat fight between Zha and Chen is now on --  
22               exclamation point. Watching the show -- exclamation  
23               point."

24       **Q**       Are these two of his superiors?

25       **A**       They are.

1       **Q**       All right. And then if we look up at 213 at the very  
2       top. It's a longer entry. I know we don't need to read the  
3       entire thing, but is this more relating to the individual  
4       named Zha?

5       **A**       Yes, it is.

6       **Q**       And could you read where it starts with:

7                "I have been with Zha for more than a decade."

8                Do you see that?

9       **A**       "I've been with Zha for more than a decade, but Zha  
10       has turned hostile on me, and Zha is now tight with  
11       Teng. What a joke. I think my relationship with him  
12       will never be the same again. We will be using each  
13       other to our own ends. I will not help him anymore.  
14       It's whatever now. Have leader like this, what's the  
15       point."

16       **Q**       All right. Thank you.

17               MR. MANGAN: Then, lastly, let's turn to page one  
18       for a couple entries.

19       (Government's Exhibit 36 page one was shown on the screen  
20       for Jury.)

21       **BY MR. MANGAN:**

22       **Q**       At the very bottom, the last entry, number 156, what's  
23       the date for that one?

24       **A**       July the 5th, 2017.

25       **Q**       And could you read that entry?



1       **A**       "Boss Song brought Chen and Zha to Sixth. Not sure  
2               what they talked about."

3       **Q**       And, again, who are those three individuals?

4       **A**       Those are his chain of command.

5       **Q**       All right. And what is the order from the titles that  
6               you saw?

7       **A**       Song and then Chen and then Zha is his immediate  
8               supervisor.

9       **Q**       I'm sorry. Could you speak up, speak up?

10      **A**       I said Zha would be his immediate supervisor.

11      **Q**       Okay. Thank you. And then let's take a look at  
12              number 135?

13              THE COURT: We're at a break point. Does it work  
14              for you?

15              MR. MANGAN: I've got two left. Can we do two  
16              more --

17              THE COURT: Go ahead.

18              MR. MANGAN: -- and then we'll be done? Thank you,  
19              Your Honor.

20      **BY MR. MANGAN:**

21      **Q**       For number 135, Agent Hull, do you see on there where  
22              it says:

23              "The core members of the Division accompanied. During  
24              the feast, Zha went nuts and said I am poor at  
25              management on Guozhi's issue."

1 Do you see that?

2 **A** I do.

3 **Q** All right. Did you see references to an individual  
4 name Guozhi?

5 **A** Yes.

6 **Q** What is his name?

7 **A** His full name was Li Guozhi.

8 **Q** All right. And then lastly if we could look at the  
9 very top entry number 51. Is that dated October 20, 2017?

10 **A** It is.

11 **Q** Could you read that for the Jury, please?

12 **A** "Morning, personnel review, Division Director Zha  
13 passed probation."

14 MR. MANGAN: Your Honor, if we could stop there?

15 THE COURT: Very well. We're going to take a  
16 mid-afternoon break. We'll break until quarter of the next  
17 hour.

18 During the break, take a break. Don't discuss this  
19 case with anyone, including among yourselves. No  
20 independent research. Continue to keep an open mind.

21 Out of respect for you, we'll rise as you leave  
22 until 2:45.

23 COURTROOM DEPUTY: All rise for the Jury.

24 (Jury exited the Courtroom.)

25 THE COURT: Jury's left the room, and the door is

**SPECIAL AGENT BRADLEY HULL -- DIRECT**

**123**

1 closed. Anything before we break from the Government?

2 MR. MANGAN: No, Your Honor.

3 THE COURT: The Defense?

4 MR. McBRIDE: No, Your Honor.

5 THE COURT: We're in recess until 2:45. Witness,  
6 please do not discuss your testimony.

7 COURTROOM DEPUTY: This Court's in recess until  
8 2:45.

9 (Court was in recess at 2:23 p.m. and resumed at 2:49 p.m.)

10 COURTROOM DEPUTY: All rise. This Court is in  
11 session pursuant to the recess.

12 THE COURT: Thank you. Please be seated. We're  
13 back in the courtroom on the record outside the presence of  
14 the Jury.

15 Are we ready to continue the testimony from the  
16 Government's perspective?

17 MR. MANGAN: Yes, Your Honor.

18 THE COURT: And from the Defense?

19 MR. McBRIDE: Yes, sir.

20 THE COURT: And you're going to alert me when we  
21 need to recess, Mr. Mangan?

22 MR. MANGAN: Yes, I will.

23 THE COURT: Very well. Let's call for the Jury,  
24 please?

25 COURTROOM DEPUTY: All rise for the Jury?

1 (Jury entered the Courtroom.)

2 THE COURT: You may all be seated. 15 Jurors have  
3 rejoined us. Is that computer screen now working, sir?

4 A JUROR: It came back on, yes. It's good.

5 THE COURT: Is the answer yes?

6 A JUROR: Yes.

7 THE COURT: Great. Don't kick it again.

8 (Laughter.)

9 THE COURT: I know you didn't.

10 (Laughter.)

11 THE COURT: All right. Witness's still on the  
12 stand. You recall that you're under oath, sir? I have to  
13 ask.

14 THE WITNESS: I do.

15 THE COURT: Very well. You may proceed, Mr.  
16 Mangan.

17 MR. MANGAN: Thank you, Your Honor.

18 **BY MR. MANGAN:**

19 **Q** Agent Hull, in your review of the various  
20 communications and records that we've been discussing, did  
21 you see discussions relating to meetings with employees from  
22 aviation companies?

23 **A** Yes.

24 **Q** And did those include aviation companies based in the  
25 U.S. and Europe?

1       **A**       Yes.

2       **Q**       Can you give examples of some of the companies that  
3       you saw represented?

4       **A**       GE Aviation, Boeing, Honeywell, Pratt and Whitney,  
5       UTC, Fokker, amongst others.

6       **Q**       And were these types of meetings discussed in the  
7       calendar that we just mentioned?

8       **A**       Yes, they were.

9       **Q**       And in some of the WeChats and text messages?

10      **A**       Yes.

11      **Q**       Was there a name that Mr. Xu and his associates used  
12      for that type of meeting?

13      **A**       Exchanges.

14      **Q**       All right. And what did they -- was there a name  
15      that they used to refer to the employee from the aviation  
16      company that would come over?

17      **A**       Sometimes guests. Other times projects.

18      **Q**       All right. Now, we just saw some references to an  
19      individual named Zha Rong. Do you remember that?

20      **A**       I do.

21               THE COURT: Can you spell that name, please?

22               THE WITNESS: Z-H-A, R-O-N-G.

23               THE COURT: Very well.

24      **BY MR. MANGAN:**

25      **Q**       Did you find text messages between the Defendant and

1 Zha Rong in the jastquhui Cloud?

2 **A** Yes.

3 **Q** And in looking at the text messages, did you also come  
4 across something that looked like a number system?

5 **A** Yes.

6 **Q** Can you explain to the Jury what you saw?

7 **A** So for particular individuals, the messages only  
8 showed the last five digits of their phone number once they  
9 got into a chat stream.

10 **Q** And looking at those numbers, were you able to  
11 identify certain individuals?

12 **A** Yes.

13 **Q** How?

14 **A** They used their real names.

15 **Q** Okay.

16 MR. MANGAN: Can you -- could we show the witness  
17 Exhibits 38 and -- excuse me 38a and b?

18 THE COURT: Yes.

19 (Government's Exhibits 38a and 38b marked.)

20 **BY MR. MANGAN:**

21 **Q** Do you have the binder there, Agent Hull?

22 **A** I do.

23 (Government's Exhibit 38a shown on the screen for the Court  
24 and Witness.)

25 **BY MR. MANGAN:**

1       **Q**       Do you recognize what 38a is?

2       **A**       I do. It is a UFED Extraction Report of 361 SMS text  
3 messages from the aforementioned Apple iCloud backup for the  
4 iPhone 5s.

5               THE COURT: And excuse me. The UFED Extraction  
6 Report. UFED is all caps, U-F-E-D; is that right?

7               THE WITNESS: Yes, sir, it is.

8               THE COURT: Very well.

9       **BY MR. MANGAN:**

10       **Q**       And do these pertain to -- as far as messages between  
11 certain individuals?

12       **A**       Yes.

13       **Q**       Can you explain?

14       **A**       They're the text messages back and forth just like in  
15 everybody else's phone, and then the back half of 38a is the  
16 English translation of the Mandarin original.

17       **Q**       You mentioned a certain phone index that was used. Is  
18 there a phone number that these messages were sent to and  
19 from?

20       **A**       63866.

21       **Q**       And from the messages, did you identify who that  
22 was -- would be?

23       **A**       Yes.

24       **Q**       And who was that?

25       **A**       Zha Rong.

1 MR. MANGAN: Your Honor, we'd move to admit  
2 Exhibits 38a and b?

3 MR. McBRIDE: No objection.

4 THE COURT: Admitted.

5 (Government's Exhibits 38a and 38b admitted.)

6 (Government's Exhibit 38c marked.)

7 **BY MR. MANGAN:**

8 **Q** All right. Then, Agent Hull, if you could take a look  
9 at 38c, please?

10 THE WITNESS: (Witness reviews exhibit.)

11 **BY MR. MANGAN:**

12 **Q** Explain what that is?

13 **A** It's a subset of the 361 text messages sort of  
14 summarized or boiled down into a smaller set.

15 **Q** Okay. So there was the original set of 361 text  
16 messages and that is in Exhibit 31b --

17 **A** Yes.

18 **Q** -- or excuse me -- 38b?

19 **A** 38b.

20 **Q** And then 38c, can you explain that again?

21 **A** It's just a subset of the messages between the  
22 Defendant and Zha Rong.

23 **Q** All right. Thank you.

24 MR. MANGAN: Your Honor, we'd move to admit 38c?

25 MR. McBRIDE: No objection.



1 THE COURT: Admitted.

2 (Government's Exhibit 38c admitted.)

3 MR. MANGAN: May we publish?

4 THE COURT: Yes.

5 (Government's Exhibit 38c was shown on the screen for Jury.)

6 **BY MR. MANGAN:**

7 **Q** Agent Hull, I'd just like to highlight a few here.

8 Starting with page one, number 3719; do you see that message  
9 to the left?

10 **A** I do.

11 **Q** Who is that message to?

12 **A** It's to the number we associated with Zha Rong.

13 **Q** All right. And what is the date of that message?

14 **A** October 22, 2014.

15 **Q** Can you go ahead and read the message to the Jury?

16 **A** "Director Zha, I had finalized the meeting site and  
17 the meeting agenda a moment ago. The evaluation fee  
18 has also been discussed and finalized with Chief Hu.  
19 He has made the arrangements. Tomorrow Chief Hu will  
20 go to the train station to pick you all up. Do I need  
21 to come? Or wait at the meeting site."

22 **Q** And is Chief Hu spelled H-U?

23 **A** It is.

24 **Q** All right. Thank you. Within these messages, did you  
25 see references to the exchanges that we talked about?

1       **A**       Yes.

2                   MR. MANGAN: I'd like to turn to page two.

3       (Government's Exhibit 38c page two was shown on the screen  
4       for Jury.)

5       **BY MR. MANGAN:**

6       **Q**       Starting down at the messages in April 2, 2015. Do  
7       you see message 2587, Agent Hull?

8       **A**       Yes.

9       **Q**       All right. And is that message to Zha Rong?

10      **A**       Yes.

11      **Q**       Let's wait for a moment. We're going to start at  
12      message 2587; do you see that?

13      **A**       I do.

14      **Q**       If you read the messages to Zha Rong from the  
15      Defendant, I will read the messages from Zha Rong.

16                   Hang on. We're going to start at 2587. All right.  
17      Go ahead.

18      **A**       "Did not bring all the materials."

19      **Q**       "What have been brought?"

20      **A**       "Brought half of as10 and all of 11."

21                   "He said that -- he said that he went to a different  
22      place to get it."

23      **Q**       "Why is it incomplete?"

24                   "He has several places to get materials."

25      **A**       "He said that he asked other people in another

1 branch."

2 Q "A pack of lies."

3 A "Also, he has cut off the headings of the documents.  
4 All of the document generation dates are within the  
5 last couple of days."

6 MR. MANGAN: If we could continue onto the top of  
7 the next page?

8 (Government's Exhibit 38c page three was shown on the screen  
9 for Jury.)

10 BY MR. MANGAN:

11 Q Is this a continuation of the text messages with Zha  
12 Rong?

13 A It is.

14 Q If you can continue at the top?

15 A "He wants to quit his job and get another one."

16 Q "Where does he want to go?"

17 A "He says that he is unhappy with his work."  
18 "Eaton."

19 Q "To do what."

20 "To do what."

21 A "Still his old profession."

22 "This one is to work on components."

23 Q "Will there be a salary increase? Are the conditions  
24 better?"

25 A "It's hard to tell right now. The key is that he is

1           unhappy with the current situation."

2           "He has said that the upper management is giving too  
3           much hard time to the old-timer's of the company."

4       **Q**     All right. Now, I'd like to go to the very bottom,  
5           the last message there number 2475; do you see that?

6       **A**     I do.

7       **Q**     If we could start with that message and then continue  
8           onto the next page, please?

9       **A**     "The guest has been picked up."

10           (Government's Exhibit 38c page four was shown on the screen  
11           for Jury.)

12       **BY MR. MANGAN:**

13       **Q**     Continuing on next page. "Okay. Changed to Private  
14           Room 305?"

15       **A**     "Okay."

16           "The guest has said that he/she cannot remember the  
17           data. He/she wants to go back to write the report."

18       **Q**     "Okay. He/she may come anytime or send it over when  
19           it's ready?"

20           All right. Agent Hull, we'll stop there. If we could  
21           turn to page three -- I'm sorry. We just did that. I'm  
22           sorry. Page four. In the middle there where it's May 8,  
23           2015. I'm referencing entry 2103; do you see that?

24       **A**     I do.

25       **Q**     Can you read that message?

1       **A**       "Yesterday, Boss Shi and Hongrui went to 603."

2       **Q**       Based on your investigation, did you learn what 603  
3       refers to?

4       **A**       Yes.

5       **Q**       Can you explain what that is?

6       **A**       So previously testimony talking about the AVIC  
7       Corporation. They have numbered institutes within AVIC that  
8       each have a specialty in a different technology. 603 is one  
9       of those numbered institutes.

10      **Q**       All right. And then if we could go down to the  
11      messages starting at 1300, dated August 13, 2015. Do you  
12      see that, sir?

13      **A**       I do.

14      **Q**       Can you start reading those messages?

15      **A**       "Chen has asked me to discuss with you. For the  
16      reporting, try to think of something on the thinking  
17      process and individual cases."

18      "Below is what I have found out so far: Director  
19      General Shi plans to arrive in Nanjing in the evening  
20      this Sunday and return to Beijing on Thursday.  
21      Aerospace will report on Monday morning while military  
22      electronics will report in the afternoon."

23      **Q**       "Okay. We will talk tonight."

24      All right. If we could turn finally to the last page?

25      **A**       (Witness complies.)

1 (Government's Exhibit 38c page five was shown on the screen  
2 for Jury.)

3 **BY MR. MANGAN:**

4 **Q** Agent Hull, do you see a message there for 1040 from  
5 Zha Rong that states:

6 "Chen is not among the candidates for the Deputy  
7 Director-General position?"

8 **A** I do.

9 **Q** And then what is the response from Xu?

10 **A** "Yes. I heard it from older sister this morning."

11 "Going nowhere."

12 **Q** All right. It continues on. Was there a reference to  
13 this on the calendar as well?

14 **A** Yes, there was.

15 **Q** About Chen Li not getting a promotion?

16 **A** Yes.

17 **Q** All right. Thank you. We can set that exhibit aside.  
18 I believe you also mentioned another colleague named Chai  
19 Meng?

20 **A** Yes.

21 **Q** Can you spell that?

22 **A** C-H-A-I. Second part, M-E-N-G.

23 **Q** Can you --

24 MR. MANGAN: Could we show the witness Exhibits 39a  
25 and 39b, please?

1 THE COURT: Yes.

2 (Government's Exhibits 39a and 39b marked.)

3 (Government's Exhibit 39a shown on the screen for the Court  
4 and Witness.)

5 **BY MR. MANGAN:**

6 **Q** Agent Hull, in the iCloud 5s backup that we've been  
7 discussing, did you find messages between the Defendant and  
8 a person named Chai Meng?

9 **A** Yes.

10 **Q** Can you identify what 39a and b are?

11 **A** It's the UFED Extraction Report of 172 SMS text  
12 messages between the Defendant, Xu Yanjun, and Chai Meng in  
13 Mandarin with the English translation toward the back of the  
14 packet.

15 **Q** All right. And Exhibit 39b?

16 **A** Yes.

17 **Q** Can you identify what that is?

18 **A** Sorry. It's the English translation of those same  
19 messages.

20 **Q** All right. At least some of the messages; correct?

21 **A** Some of them, yes.

22 **Q** All right.

23 MR. MANGAN: Your Honor, we'd move to admit  
24 Exhibits 39a and 39b?

25 MR. McBRIDE: No objection.

1 THE COURT: Admitted.

2 (Government's Exhibits 39a and 39b admitted.)

3 MR. MANGAN: If we could publish 39b?

4 THE COURT: Yes.

5 (Government's Exhibit 39b was shown on the screen for Jury.)

6 **BY MR. MANGAN:**

7 **Q** Now, there's about 11 pages of messages. I'd just  
8 like to read a couple.

9 MR. MANGAN: If we could turn to page ten?

10 THE WITNESS: (Witness reviews exhibit.)

11 (Government's Exhibit 39b page ten was shown on the screen  
12 for Jury.)

13 **BY MR. MANGAN:**

14 **Q** And look at the -- do you see a text message dated  
15 October 26, 2015?

16 **A** Yes.

17 **Q** And is there a message from Mr. Xu starting with "It's  
18 Possible?"

19 **A** Yes.

20 MR. MANGAN: I'm sorry. Thank you. There we are.

21 **BY MR. MANGAN:**

22 **Q** If you could start reading with that message, please?

23 **A** "It's possible that Chen Li may take action against  
24 you by dismissing you as Section Chief and promote  
25 Geng. Talked about it with Zha today."



1 Q "Got it. I'll find Song as soon as possible."

2 A "Chen will let Geng and Song carry the same rank, a  
3 mutual check and balancing."

4 Q All right.

5 MR. MANGAN: And then if we could turn to the last  
6 page? Up.

7 (Government's Exhibit 39b page 11 was shown on the screen  
8 for Jury.)

9 **BY MR. MANGAN:**

10 Q Do you see a message dated March 29, 2016, from --

11 A I do.

12 Q -- Mr. Xu, and who is that to?

13 A It's to Chai Meng.

14 Q Can you read that message, please?

15 A "A Communist Party meeting is over and Chen is  
16 stepping down."

17 Q "Zha is promoted? It looks like he wants to send me  
18 to Seven when he's arranging the work situation in the  
19 afternoon?"

20 A "Should be dregs."

21 Q All right. That's all for that exhibit. In looking  
22 at the calendar, there's one other name we mentioned. Do  
23 you recall a name Li Guozhi?

24 A Yes.

25 Q And is that spelled L-I, G-H-O-U-Z-H-I?

1       **A**       Sounds about right.

2       **Q**       All right. Now, was his name mentioned in the  
3       calendar?

4       **A**       Yes, it was.

5       **Q**       And did you find messages between the Defendant and Li  
6       Guozhi?

7       **A**       Yes.

8       **Q**       Can you --

9               MR. MANGAN: Could we show the witness Exhibits 40a  
10       and 40b, please?

11       (Government's Exhibits 40a and 40b marked.)

12       THE COURT: Yes.

13       (Government's Exhibit 40a shown on the screen for the Court  
14       and Witness.)

15       **BY MR. MANGAN:**

16       **Q**       Agent Hull, can you explain what Exhibits 40a and b  
17       are?

18       **A**       40a is a UFED Extraction Report from the iCloud of 63  
19       SMS text messages with the original being in Mandarin  
20       Chinese, and at the back of that packet, there's English  
21       translations of the same.

22               And 40b is just a compilation of those same messages  
23       in English.

24       **Q**       All right.

25               MR. MANGAN: Your Honor, we'd move to admit

1 Exhibit 40a and 40b?

2 MR. McBRIDE: No objection.

3 THE COURT: Admitted.

4 (Government's Exhibits 40a and 40b admitted.)

5 MR. MANGAN: May we publish 40b, please?

6 THE COURT: Yes.

7 (Government's Exhibit 40b was shown on the screen for Jury.)

8 **BY MR. MANGAN:**

9 Q Now, that the Jury can see that, Agent Hull, are these  
10 some of the messages between Xu Yanjun and Li Guozhi?

11 A Yes.

12 Q Okay.

13 MR. MANGAN: I'd like to just turn and read a  
14 couple on page three, if we might.

15 (Government's Exhibit 40b page three was shown on the screen  
16 for Jury.)

17 **BY MR. MANGAN:**

18 Q Starting on January 26, 2014, do you see a message  
19 from Xu Yanjun?

20 A I do.

21 Q If we could start there.

22 A "Let me know what's going on in the work space. Send  
23 message to me."

24 Q "Geng, Gao, and Meng are coming back today. The 3rd  
25 Division of Sixth Bureau are coming to talk about Red

1 Net. Song, the Director-General of the Department,  
2 has approved the document and will be sending it out  
3 tomorrow?"

4 **A** "Let me know if there is any personnel change within  
5 the department."

6 **Q** "Sure."

7 And then I'd like to continue on, but note that it's a  
8 new date. Do you see that it's January 28, 2014?

9 **A** I do.

10 **Q** All right. I'll continue on with the message from Li  
11 Guozhi. "Which name do you use to communicate with Liming?"

12 **A** "Forgot."

13 "Need to check text message."

14 "Just don't sign the name."

15 **Q** "Is it under the name of the Association?"

16 **A** "For what?"

17 **Q** "To send E-Mail."

18 **A** "It was sent before. Check which E-Mail address was  
19 used. He knows our identity."

20 **Q** "Didn't find our E-Mail address in the address list,  
21 only his two E-Mail addresses. I will keep looking?"

22 **A** "Didn't he reply the E-Mail several days ago saying  
23 the attachment is in gibberish."

24 **Q** "Found it. It's the one with gibberish."

25 All right. And we'll stop right there.

1       **A**       Okay.

2       **Q**       Okay. Thank you. Agent Hull, just a moment ago I  
3 think you mentioned a group called AVIC; correct?

4       **A**       I did.

5       **Q**       And can you just remind us what that was?

6       **A**       It's one of the State-Owned Enterprises that's  
7 responsible for aircraft design in China.

8       **Q**       And in connection with the exchanges, did you see  
9 communications with technical experts at AVIC?

10      **A**       Yes.

11      **Q**       Now, based on your understanding, does the MSS  
12 manufacture any kind of airplanes?

13      **A**       No.

14      **Q**       What does AVIC do?

15      **A**       They do the research and design in order to  
16 manufacture aircraft.

17      **Q**       Did you see communications between Mr. Xu and  
18 individuals at AVIC?

19      **A**       Yes.

20      **Q**       And did those pertain to these exchanges with foreign  
21 aviation experts?

22      **A**       They did.

23      **Q**       I'll have you look at Exhibits 41a and b.

24       (Government's Exhibits 41a and 41b marked.)

25               THE WITNESS: (Witness reviews exhibit.)

1 BY MR. MANGAN:

2 Q Do you see those?

3 A I do.

4 Q All right. Can you describe them, Agent Hull?

5 A 41a contains 84 SMS text messages in a UFED Extraction  
6 Report from the aforementioned iPhone between various  
7 individuals identified as working for AVIC.

8 41b is a summary of all those, all those messages  
9 between the Defendant and the AVIC employees.

10 MR. MANGAN: Your Honor, we'd move to admit  
11 Exhibits 41a and b?

12 MR. McBRIDE: No objection.

13 THE COURT: Admitted.

14 (Government's Exhibits 41a and 41b admitted.)

15 MR. MANGAN: May we publish 41b, sir?

16 THE COURT: Yes.

17 MR. MANGAN: Thank you.

18 (Government's Exhibit 41b was shown on the screen for Jury.)

19 BY MR. MANGAN:

20 Q Agent Hull, these messages on the summary in 41b, are  
21 these in chronological order?

22 A They are.

23 Q All right. But as we go through it, at times is Mr.  
24 Xu speaking with different individuals at AVIC?

25 A He is.

1 Q All right.

2 A I tried to adjust the color so we could tell the  
3 difference.

4 Q All right. And the messages that are in blue, who are  
5 those messages from?

6 A The Defendant, Xu Yanjun.

7 Q Okay. I'd like to read the messages on the first page  
8 in this top block between the Defendant, Xu Yanjun, and an  
9 individual. Can you state the name of the individual he's  
10 talking to?

11 A Chengyu Liu.

12 Q Could you spell that, please?

13 A C-H-E-N-G-Y-U, and then L-I-U.

14 Q All right. And these messages begin on December 27,  
15 2013; is that correct?

16 A That is correct.

17 Q All right. I'll begin for the part in green to Mr.  
18 Xu.

19 "The analytical tools for Boeing strength engineers,  
20 such as Famoss. Boeing Design Manual, such as book2,  
21 3, and BDMS?"

22 A "Okay."

23 Q "Software such as famoss and csw, the analytical  
24 tools. Also the Boeing Design Manual?"

25 A "Manager Yang asks if we need the manual of the

1 software."

2 **Q** "Did the driver take you to your destinations in the  
3 afternoon?"

4 **A** "Yes, the driver did. I will talk to the guest about  
5 it in couple days."

6 "Institution Chair Liu, what is BDMS -- question mark?  
7 I have only heard of BDM. Is it Boeing Design  
8 Manual -- question mark."

9 **Q** "That's it."  
10 "We don't know the exact serial number."

11 **A** "Is there any particular serial number?" I check the  
12 menu, if it begins with a 4, it is structural  
13 allowables-flight equipment, if it begins with a 5, it  
14 is structural-allowable support equipment, if it  
15 begins with a 6, it is structural analysis methods,  
16 and if it begins with a 7, it is electrical design."  
17 "If it begins with a 1, it is general design."  
18 "Which one fits your demand more? 1, 4, 5, 6, or 7?"

19 **Q** "I think 6."

20 **A** "Okay."

21 **Q** All right. We'll stop there.

22 MR. MANGAN: I'd like to turn to page two, and  
23 highlight the message that's in the middle dated April 4,  
24 2014.

25 (Government's Exhibit 41b page two was shown on the screen



1 for Jury.)

2 **BY MR. MANGAN:**

3 **Q** Do you see that one, Agent Hull?

4 **A** I do.

5 **Q** And is there a -- it begins with Director Lin, do you  
6 see that?

7 **A** I do.

8 **Q** Okay. And the message from Xu Yanjun, who is that  
9 being sent to?

10 **A** Yiguang Lin.

11 **Q** Could you spell that, please?

12 **A** Y-I-G-U-A-N-G, then L-I-N.

13 **Q** All right. Thank you. Could you read the message  
14 from Mr. Xu on that date?

15 **A** "Director Lin, just called your office but no one  
16 picked up. The contents of our information are mainly  
17 the design drawings, 3D digital model, and material  
18 processing techniques for the rigid fuel equipment of  
19 ruddervator of the U.S. Aerial Refueling Aircraft --  
20 parentheses, kc-135, end parentheses. Another project  
21 is the design specification, system requirements, and  
22 simulation evaluation of the deicing technology.  
23 Please contact me and kindly review the assessment  
24 when you receive it. Thank you very much and come to  
25 visit Nanjing whenever you have some time. Xu

1           Yanjun."

2           **Q**       "Got it. Q." All right. Thank you.

3                   MR. MANGAN: I'd like to turn to page three.

4           (Government's Exhibit 41b page three was shown on the screen  
5           for Jury.)

6           **BY MR. MANGAN:**

7           **Q**       Just read a few more of these messages. The message  
8           we just talked about, it referenced a kc-135. Do you know  
9           what that is?

10          **A**       It's a U.S. Military aircraft.

11          **Q**       All right. Thank you. Let's turn to page three  
12          toward the bottom. Do you see some messages that start on  
13          December 15, 2014?

14          **A**       I do.

15          **Q**       And who are those messages between?

16          **A**       Chengyu Liu we discussed previously.

17          **Q**       All right. If you could start with the message that's  
18          starts on the 15th?

19          **A**       "Institution Chair Liu, have you received the material  
20          yet."

21          **Q**       "Not yet."

22          **A**       "Institution Chair Liu, let me know after you get it.  
23          I will communicate with the confidential --  
24          department. Don't know why it's so slow."

25          **Q**       "Okay. Maybe it is just slower to go through

1 confidential route?"

2 **A** "Institution Chair Liu, give me one of your E-Mail  
3 addresses. I will send the form to you. Please  
4 fill-in the keywords for me."

5 "I have removed the keywords in the form."

6 **Q** All right.

7 MR. MANGAN: If we could turn to the next page?  
8 (Government's Exhibit 41b page four was shown on the screen  
9 for Jury.)

10 **BY MR. MANGAN:**

11 **Q** And do you see the message that begins the next day  
12 dated December 17, 2014?

13 **A** I do.

14 **Q** And is that sent to a different individual?

15 **A** It is.

16 **Q** Could you read those next five messages -- who are  
17 those messages sent to?

18 **A** Renjun Sun.

19 **Q** Could you spell it, please?

20 **A** R-E-N-J-U-N. Second name, S-U-N.

21 **Q** Could you read those top five messages, please?

22 **A** "Engineer Sun, I send the data requirement from the  
23 expert to your E-Mail. There are also two documents  
24 regarding the talent recruitment project. Please  
25 replace the sensitive words as follows: Project one:

1 Jzyjj -- carrier based aircraft early warning  
2 aircraft, bbdw -- eight eight unit, zzbb -- General  
3 Armaments Department; Project 2: dxy -- excuse me --  
4 Dxjyysj -- large scale military transport aircraft.  
5 The rest of the -- keywords -- will be replaced in the  
6 same manner. The reviewing expert for both projects  
7 will be Cheng Puqiang."

8 **Q** Could you spell that?

9 **A** C-H-E-N-G, second name is P-U-Q-I-A-N-G.

10 **Q** Thank you. If you could continue with the next  
11 message?

12 **A** "Please print the documents for talent recruitment  
13 project single sided."

14 "Three copies for each project and please stamp the  
15 third page."

16 "If Chairman Liu is not available in the afternoon,  
17 please hand it directly to Lin Yiguang from the  
18 Ministry of Science and Technology. Thanks."

19 "I just called Chair Liu."

20 **Q** And there's a response message saying, "got it." And  
21 then if you could read one more message, please?

22 **A** "Institution Chair Liu, my address is: Sixth Division  
23 of Jiangsu Ministry of State Security, Xu Yanjun.  
24 Thanks."

25 **Q** All right. Thank you, Agent Hull.

1 MR. MANGAN: And then if we could turn to page five  
2 of that exhibits?

3 (Government's Exhibit 41b page five was shown on the screen  
4 for Jury.)

5 **BY MR. MANGAN:**

6 **Q** Do you see two more messages from Renjun Sun?

7 **A** I do.

8 **Q** And those are dated March 24, 2015; correct?

9 **A** Yes.

10 **Q** And the message at the top does it read:

11 "Section Chief Xu, the relevant materials have been  
12 sent to your E-Mail address. Within it, J means  
13 flight deck, L means payload, Q means international  
14 collaboration, B means land-base, F means flight  
15 vehicle, K means aviation, C means design model, and D  
16 means landing gear.

17 A and Q are the names for our flights. Contact me if  
18 you need explanation on anything?"

19 "Do not hesitate."

20 Do you see that?

21 **A** I do. With the exception of you said Q and I think  
22 you meant G in the second line.

23 **Q** Okay. I apologize. Hopefully the Jury caught it.  
24 Thank you. Before we move on from this exhibit, I'd like to  
25 go back just briefly to the page before at the very top.

1 (Government's Exhibit 41b page four was shown on the screen  
2 for Jury.)

3 **BY MR. MANGAN:**

4 **Q** To that message from December 17, 2014, do you see  
5 that, Agent Hull?

6 **A** I do.

7 **Q** And did you see other messages that contained codes  
8 like this?

9 **A** Yes.

10 **Q** I think previously we were talking about one of Mr.  
11 Xu's associates named Li Guozhi?

12 **A** We were.

13 **Q** And we introduced some of the messages between the two  
14 of them?

15 **A** We did.

16 **Q** Did you find a similar message around the same time  
17 from Mr. Guozhi?

18 **A** Yes.

19 MR. MANGAN: If we could go back to Exhibit 40b,  
20 page seven. I believe it's already admitted, Your Honor?

21 THE COURT: Yes.

22 MR. MANGAN: May we publish?

23 THE COURT: Yes.

24 (Government's Exhibit 40b page seven was shown on the screen  
25 for Jury.)

1 MR. MANGAN: If we can go to the very bottom?

2 **BY MR. MANGAN:**

3 **Q** Do you see the message from Mr. Li Guozhi to Xu?

4 **A** Yes.

5 MR. MANGAN: And if we can zoom in on the very  
6 bottom?

7 **BY MR. MANGAN:**

8 **Q** Can you read the date of that message?

9 **A** December 17, 2014.

10 **Q** And can you read the content of the message, please?

11 **A** "Project 1:jzyjj-carrier-based airborne early warning  
12 aircraft, bbdw- eight eight unit, zzbb- General  
13 Armaments Department; Project 2:dxjyysj- large scale  
14 military transport aircraft. The rest are the same as  
15 above. The top right corner of the cover page shall  
16 be Secret. Change the reviewing expert and the person  
17 in charge for the project --"

18 MR. MANGAN: Could we turn to the next page?

19 THE WITNESS: Sorry.

20 (Government's Exhibit 40b page eight was shown on the screen  
21 for Jury.)

22 **BY MR. MANGAN:**

23 **Q** Thank you. Please continue.

24 **A** "-- reviewing expert and the person in charge for the  
25 project on the third page to Cheng Puqiang."

1       **Q**       And then was that the message that Mr. Xu relayed to  
2       Sun Renjun?

3       **A**       Yes.

4       **Q**       All right. Thank you. I'd like to have you take --

5               MR. MANGAN: If we could show the witness  
6       Exhibit 42a and b?

7               THE COURT: Yes.

8       (Government's Exhibits 42a and 42b marked.)

9       (Government's Exhibit 42a shown on the screen for the Court  
10      and Witness.)

11      **BY MR. MANGAN:**

12      **Q**       Do you recognize these, Agent Hull?

13      **A**       I do.

14      **Q**       And can you identify what they are?

15      **A**       They are UFED Extraction Report of 31 SMS text  
16      messages between the Defendant Xu Yanjun and an individual  
17      with the name of Guangqing He, and I'll spell it,  
18      G-U-A-N-G-Q-I-N-G. The second name, H-E.

19      **Q**       All right.

20              MR. MANGAN: Your Honor, we'd move to admit  
21      Exhibits 42a and b?

22              MR. McBRIDE: No objection.

23              THE COURT: Admitted.

24      (Government's Exhibits 42a and 42b admitted.)

25              MR. MANGAN: May we publish 42b?



1 THE COURT: Yes.

2 (Government's Exhibit 42b was shown on the screen for Jury.)

3 **BY MR. MANGAN:**

4 **Q** And in looking at these messages, once, again, Agent  
5 Hull, can you remind us where these messages came from?

6 **A** From the iCloud data from Google for the iPhone 5s.

7 **Q** The very top message, do you see where it says:

8 "Hello Manager Xu. This is He Guangqing from Hunan  
9 Tyen?"

10 Do you see that?

11 **A** I do.

12 **Q** Do you know what that company is?

13 **A** It is a aircraft component manufacturer.

14 **Q** And where are they based?

15 **A** In China.

16 **Q** All right. I'd like to start further down actually to  
17 just read through the messages here.

18 MR. MANGAN: If we could go to the bottom of page  
19 one?

20 (Government's Exhibit 42b page one was shown on the screen  
21 for Jury.)

22 **BY MR. MANGAN:**

23 **Q** Do you see a message starting with Director He, I've  
24 modified the report?

25 **A** Yes.

1       **Q**       All right. If we can start there, and I will read the  
2 responses from the Director.

3       **A**       "Director He, I've modified the report, I will send to  
4 you tomorrow morning."

5       **Q**       "Okay, thanks."

6       **A**       "Thank you instead."

7       **Q**       "We are brothers, don't be so formal. Haha."

8       **A**       "Bro, the document is sent. Please check. The "xxx"  
9 in the document means "State Security Department."  
10 "The "lower case y upper case Y Y" means "diesel  
11 engine VNT turbocharging technology."

12               MR. MANGAN: If we can turn to the next page?  
13 (Government's Exhibit 42b page two was shown on the screen  
14 for Jury.)

15       **BY MR. MANGAN:**

16       **Q**       And if you could continue reading the messages,  
17 please?

18       **A**       "The tsqd means "special channel."

19               "Also, this document is urgent, please send it to the  
20 group as soon as possible. Thanks. Xu Yanjun."

21       **Q**       "Okay. Thanks."

22       **A**       "Document is sent. Please check. The "zzz" means  
23 "variable nozzle turbocharging." The "if" means  
24 "Honeywell." Thanks. Xu."

25               "The "xxx" means "State Security Department."

1 Q "Okay. Thanks."

2 A "Tell Staff Han from the Group that this document will  
3 need the Group to affix the Group seal. Also, tell  
4 her that the document from yesterday was from the 5th  
5 Bureau of the Ministry and documents from today is  
6 from the 6th Bureau of the Ministry. Thanks."

7 Q All right. Thank you, Agent Hull. In these last  
8 few exhibits we've gone through, are these examples of the  
9 types of codes that you saw being exchanged in these  
10 messages?

11 A Yes.

12 Q All right. And did they sometimes correlate with the  
13 various exchanges you saw on the calendar?

14 A They did.

15 MR. MANGAN: Your Honor, this would be probably the  
16 right time that we discussed.

17 THE COURT: Very well. We're going to take an  
18 afternoon break. We'll call it 3:30. I'm going to ask the  
19 Jury to take a break for 30 minutes. We'll come get you at  
20 4 o'clock.

21 During the break, take a break. Don't discuss the  
22 case with anyone, even among yourselves. No independent  
23 research. Continue to keep an open mind, and we'll rise in  
24 respect as you leave.

25 COURTROOM DEPUTY: All rise for the Jury.

1 (Jury exited the Courtroom.)

2 THE COURT: The Jury has a left the courtroom, and  
3 the door is closing. The Jury's going to be on break for  
4 30 minutes. I'd like the lawyers and parties to be back in  
5 15 minutes, so that I can address the lawyer's arguments as  
6 to authenticity. I'd like the Defendant back in 15 minutes  
7 as well at quarter of four.

8 Is there anything that requires my attention before  
9 we adjourn for 15 minutes and a half hour outside the  
10 presence of the Jury for the Government?

11 MR. MANGAN: No, Your Honor.

12 THE COURT: Defense?

13 MR. McBRIDE: No, Your Honor.

14 THE COURT: See you in 15 minutes. Thank you.

15 COURTROOM DEPUTY: This Court is in recess for  
16 15 minutes.

17 (Court was in recess at 3:28 p.m. and resumed at 3:45 p.m.)

18 COURTROOM DEPUTY: All rise. This Court is in  
19 session pursuant to the recess.

20 THE COURT: Thank you. Please be seated. Would  
21 you please close the door, please?

22 We're back in the open courtroom on the record  
23 outside the presence of the Jury. Government team is here.  
24 Defense team is here. The Defendant and both interpreters.

25 I wish to address the objection as to authenticity

1 of E-Mails. The Defendant challenges the authenticity of  
2 the content from two E-Mail accounts that the Government  
3 intends to present as evidence.

4 Specifically Defendant argues that the evidence  
5 suggests that multiple people may have had access to the  
6 E-Mail account; and, therefore, there is sufficient evidence  
7 to authenticate the authorship of the E-Mail content.

8 I believe initially the objection was as to  
9 messages from the iCloud account as well, but the Defense  
10 has elected to withdraw the objection as to the iCloud  
11 messages.

12 Mr. McBride, is all of that accurate from the  
13 Defense's perspective?

14 MR. McBRIDE: Yes, Your Honor.

15 THE COURT: All right. I'd like to establish the  
16 case law and then pause. I believe the accounts at issue  
17 are two of the three JAST accounts, J-A-S-T, and that the  
18 jastburton account, J-A-S-T-B-U-R-T-O-N, account is not at  
19 issue because there will be witness authentication; is that  
20 right, Counsel?

21 MR. McBRIDE: Yes, Your Honor.

22 THE COURT: Very well. Let's get to the law.  
23 Federal Rule of Evidence 901(a) provides that, quote, to  
24 satisfy the requirement of authenticating or identifying an  
25 item of evidence, the proponent must produce evidence

1 sufficient to support a finding that the item is what the  
2 proponent claims it is, end quote.

3 New quote, authentication is a relatively low  
4 hurdle and may be proved through a variety of methods,  
5 including circumstantial evidence, end quote. From U.S.  
6 versus Quintana, Q-U-I-N-T-A-N-A, 763 Federal Appendix 422,  
7 426 6th Circuit 2019.

8 Further quote, the authentication -- bracket,  
9 authentication, bracket, rule requires only that the Court  
10 admit evidence if sufficient proof has been introduced so  
11 that a reasonable Juror could find in favor of authenticity  
12 or identification. The rest is up to the Jury, end quote.  
13 U.S. versus Jones, 107 F.3d 1147, comma, 1150, Note one, 6th  
14 Circuit 1997.

15 Rule 901(b) provides a non-exhaustive list of the  
16 types of evidence that may be presented to satisfy  
17 authentication.

18 As an initial matter, authenticity may be  
19 established by the trial testimony of a witness with  
20 knowledge, e.g., the sender or recipient of the E-Mail, or  
21 someone who saw the author compose the E-Mail. Fed Rule  
22 Evidence 901(b)(1).

23 Additionally, under Rule 901(b)(4), the proponent  
24 may authenticate evidence by offering evidence of, quote,  
25 the appearance, contents, substance, internal patterns, or

1 other distinct characteristics of the item taken together  
2 with all the circumstances, period, end quote.

3 With regard to E-Mails and electronic  
4 communications in particular, courts have looked to a number  
5 of factors to support a finding of authenticity based on  
6 circumstantial evidence.

7 For example, the Court may consider, among other  
8 things, whether:

9 One, the purported author's name is in the E-Mail  
10 address;

11 Two, the content of the E-Mail or message shows  
12 knowledge that the purported sender would possess;

13 Three, the purported sender's name was used to sign  
14 off on the E-Mails or messages;

15 Four, the IP address matches the purported sender's  
16 known location;

17 Five, the E-Mail address or telephone number from  
18 which the messages were sent are linked to other accounts  
19 belonging to the purported sender;

20 Six, the E-Mail account is linked to a phone number  
21 or physical address belonging to the purported sender;

22 And, seven, the account is found on or otherwise  
23 linked to a device in the purported sender's possession.

24 See, e.g., United States versus Fluker, F-L-U-K-E-R, 698  
25 F.3d 988, coma, 999-1000 7th Circuit 2012, where E-Mail

1 authorship authenticated by showing that the purported  
2 sender's name was part of the E-Mail address and the content  
3 of the E-Mails demonstrated knowledge that few others than  
4 the purported sender would possess.

5 See further, United States versus Siddiqui,  
6 S-I-D-D-I-Q-U-I, 235 F.3d 1318, comma, 1322-23, 11th Circuit  
7 2000, where authentication was permitted by showing the  
8 E-Mail address included the purported sender's name; content  
9 of the E-Mail showed specific knowledge that would have only  
10 been known by few people other than the purported senders;  
11 and the E-Mails were signed off with the name Mo, which was  
12 the purported sender's known nickname.

13 Similar cases where I won't read the parentheticals  
14 are U.S. versus Lewisbey, L-E-W-I-S-B-E-Y, out of the 7th  
15 Circuit; U.S. versus Simpson, out of the 10th Circuit; U.S.  
16 versus Lundy, L-U-N-D-Y, out of the 5th Circuit.

17 Here this Court has already seen a number of  
18 exhibits that speak to the authentication factors. For  
19 instance, Exhibit 18 shows how the two JAST E-Mails connect  
20 back to Defendant's others accounts, and also connects the  
21 alias Qu Hui, spelled Q-U, capital H-U-I, which connects the  
22 alias to the Defendant.

23 Exhibits 32c and 32d link the jastxyj E-Mail  
24 directly to Defendant, where he identifies himself by name  
25 and gives jastxyj as his E-Mail.



1           Exhibit 7a shows that the jastquhui,  
2           J-A-S-T-Q-U-H-U-I, E-Mail is the Apple ID E-Mail connected  
3           to the iPhone that was in Defendant's physical possession  
4           when he was arrested.

5           Additionally, the JAST E-Mail addresses at issue  
6           contain Defendant's initials or alias; and as I just  
7           identified, that alias is connected to Defendant through use  
8           on Defendant's other accounts.

9           Additionally, the account information such as name,  
10          recovery E-Mail, and associated telephone number are either  
11          the same across the disputed accounts or are the same as  
12          Defendant's information from other known accounts and also  
13          match information linked to the phone confiscated from the  
14          Defendant at the time of his arrest.

15          Court notes that the Government has acknowledged  
16          that the IP addresses associated with activities on these  
17          accounts do, at times, indicate locations inconsistent with  
18          Defendant's known whereabouts or otherwise indicating  
19          multiple locations but whether this means that anyone else  
20          was using the accounts is a question for the Jury to decide.

21          In short, it appears the Government has met its  
22          burden as to authentication, which is a relatively low bar.

23          Does the Government wish to be heard further in  
24          argument?

25          MR. MANGAN: No, Your Honor. We have additional

1 items we can present, but we agree with the Court's  
2 analysis.

3 THE COURT: Does the Defendant wish to be heard  
4 further?

5 MR. McBRIDE: I do, Your Honor. I'll try to be  
6 brief. Thank you for recognizing the Government's admission  
7 with regard to the facts that there may be other users to  
8 these accounts.

9 Your Honor, in that letter from Mr. Mangan, they  
10 provided us with an enormous set of data ranging from 2013  
11 to the date of -- past actually the date of Mr. Xu's arrest.  
12 Bear with me. Let me pull my notes out here, Judge.

13 THE COURT: Yes.

14 MR. McBRIDE: So the jastquhui -- pardon me. Let  
15 me start with the jastxyj, Judge. There are approximately  
16 55 times that the account was accessed after Mr. Xu was  
17 arrested.

18 There are a number of domain names, ChinaNet  
19 Jiangsu April 2nd, Berlin Services -- or Service Providers  
20 on April 3, then we are back the Jiangsu Province on April 4  
21 and April 14. We're now at the China Unicom Jiangsu  
22 Province Network, and those dates are the 24th of April, and  
23 then we have also -- we're back to China Mobile  
24 Communications on April 3rd -- pardon me, April 3rd --  
25 pardon me, May -- April 3rd twice and then the 5th. And

1       then on the -- let me back up on that.

2               So what we have, Judge, is access to that JAST  
3       E-Mail. I'd like to point out to you -- and I've got copies  
4       of this, Judge, if it would be helpful?

5               THE COURT: I'm okay.

6               MR. McBRIDE: The I -- or the IP address, Judge,  
7       is when a device goes and reaches out to the Internet. What  
8       it does, essentially a router assigns the IP address. You  
9       cannot identify what address or what device or who is using  
10      the device by an IP address.

11              All you can get is a general location where the  
12      device tried to access the Internet because you get the  
13      domain basically. It's where the router is.

14              So what we have in this circumstance is the  
15      E-Mails -- some of which may be Mr. Xu's -- but the  
16      Government can't establish which ones are Mr. Xu's because  
17      we have admissions of access. The phone's being accessed  
18      after the fact.

19              When we get to each E-Mail the Government wants to  
20      put in, they have no basis into which to say this E-Mail is  
21      Mr. Xu's; and while I recognize what the Court has said so  
22      far, I'd like to refer you to, Your Honor, U.S. v Shah, 125  
23      Fed Supp 350 at page 576. In addressing the same issue,  
24      where we have essentially blind E-Mails -- for instance, let  
25      me explain this.

1 I have an E-Mail account in my office. My legal  
2 assistant can access that and send an E-Mail to somebody as  
3 though it were my name, so it's a blind address.

4 In other words, they don't know really that it's  
5 myself sending the E-Mail, though they might think they  
6 have.

7 And the Shah court said this: The Government may  
8 not rely exclusively on the Defendant's prior use of an  
9 E-Mail address -- I'll skip the name, Judge -- to  
10 authenticate the documents. Both E-Mail and electronic  
11 chats are faceless means of communications where users are  
12 identified by E-Mail address or username. The recipient  
13 cannot simply by looking at the E-Mail address of the  
14 username, pardon me, in the contents --

15 THE COURT: Slow down, please.

16 MR. McBRIDE: I'm sorry, Judge. I forgot.

17 THE COURT: It's not for me.

18 MR. McBRIDE: -- readily identified the true  
19 identity of the message's sender.

20 It goes on, the recipient can't -- in neither case  
21 can the recipient rely on the use of an E-Mail address or  
22 username to conclude the third party has not made  
23 serendipitous use of the otherwise familiar account.

24 Instead, the recipient must use additional  
25 information gleaned from the context, for example, the

1 knowledge the communication was prompted by the recipient or  
2 the contact -- factors that you were talking about, Your  
3 Honor.

4 So with regard to these E-Mails coming from Mr. Xu,  
5 the Government's going to have to show that the content of  
6 the E-Mail in and of itself represents -- provides the Court  
7 with an understanding that this is coming from Mr. Xu.

8 Moving to jastquhui, we have the same situation,  
9 Judge. We got about 55 times the accounts were accessing to  
10 the Internet after Mr. Xu was arrested from a variety of IP  
11 addresses with several locations, Judge.

12 There's also examples within the E-Mails that the  
13 Government was actually referring to where you have people  
14 who -- you have E-Mail access points where somebody is in  
15 America in one moment, and the next minute it's being  
16 accessed from China.

17 So that in and of itself, Your Honor -- and I could  
18 dig that cite out for you -- shows that there are obviously  
19 more than one person accessing these accounts.

20 So in order to show that Mr. Xu -- I understand  
21 it's a low bar -- that Mr. Xu was sending these accounts, I  
22 think the Government has to show more than -- pardon me --  
23 just attaching it to the subscriber information.

24 Anybody can go in and setup an account under  
25 anybody's name with anybody's phone number to establish the

1 subscriber account; and here we have allegations from the  
2 Government that we have a conspiracy of spies; and part of  
3 what they're saying to you, Your Honor, is, well, they're  
4 all using each other's E-Mail address. They're all using  
5 aliases. Then they turnaround and say, well, we want to  
6 authenticate this document because it's got some indicia of  
7 Xu Yanjun's identity on it, so I submit, Your Honor, that  
8 they can't make their burden in this particular situation by  
9 just showing you there are some connections. I think -- I'd  
10 ask the Court to look to the content.

11 THE COURT: Very well. Thank you. Have you been  
12 fully heard?

13 MR. McBRIDE: I have, Your Honor. Thank you.

14 THE COURT: All right. The Defense will have the  
15 opportunity to raise the inconsistent IP address issues for  
16 the Jury, but an additional user is not the only  
17 explanation; and therefore, it cannot and does not undermine  
18 the Government's evidence as to authenticity.

19 The bar is low for authenticity, and the Court  
20 finds that the Government has met its burden. Frankly, far  
21 be it beyond the low bar.

22 Accordingly, Defendant's objection is overruled.  
23 Based on the appearance, content, and distinct  
24 characteristics of the E-Mails, Court makes a preliminary  
25 finding under Federal Rule of Evidence 104, that the

1 exhibits are authentic, i.e., they are what the Government  
2 claims them to be.

3 So I've heard argument and ruled on authenticity as  
4 to E-Mails. It's on the record.

5 Are we ready to get the Jury for another half hour  
6 from the Government's perspective?

7 MR. MANGAN: Yes, Your Honor.

8 THE COURT: Is there anything else before we get  
9 them?

10 MR. MANGAN: Not from me, Your Honor. No.

11 THE COURT: Are we ready for the Jury, Mr. McBride?

12 MR. McBRIDE: We are, Your Honor.

13 THE COURT: Very well. Let's call for the Jury.

14 And while we're getting them, a translator was onboard for  
15 that. I don't want to wear her out. Ms. Frankian, what  
16 time do you propose that we adjourn from this witness given  
17 the translator's fatigue?

18 MS. FRANKIAN: 4:20.

19 THE COURT: 4:20, so we've got 15 minutes, Mr.  
20 Mangan, and you're not allowed to speak fast.

21 MR. MANGAN: I understand.

22 THE COURT: Very well.

23 COURTROOM DEPUTY: All rise for the Jury.

24 (Jury entered the Courtroom.)

25 THE COURT: Jury's arrived. You may all be seated.

1 All 15 members of the Jury, welcome back. Witness is on  
2 the stand, remains under oath, and he understands, correct,  
3 sir?

4 THE WITNESS: Yes, sir.

5 THE COURT: Mr. Mangan, you may proceed.

6 MR. MANGAN: Thank you, Your Honor.

7 **BY MR. MANGAN:**

8 **Q** All right. Agent Hull, previously we discussed the  
9 idea of exchanges. I'd like to talk about one example. Are  
10 you familiar with the name Bin Liang, spelled B-I-N,  
11 L-I-A-N-G?

12 **A** I am.

13 MR. MANGAN: And could we have the witness look at  
14 Exhibits 43a and b?

15 THE COURT: Yes.

16 (Government's Exhibits 43a and 43b marked.)

17 (Government's Exhibits 43a and 43b shown on the screen for  
18 the Court and Witness.)

19 **BY MR. MANGAN:**

20 **Q** When you get those, Agent Hull, can you tell us if you  
21 recognize what they are?

22 **A** Yes.

23 **Q** Can you explain what they are?

24 **A** It is an E-Mail from the E-Mail address  
25 jastxyj@gmail.com with an attachment benjamin.liang.doc in



1 Mandarin Chinese on 43a, and 43B is the English translation  
2 of the, of the same.

3 MR. MANGAN: Your Honor, we'd move to admit  
4 Exhibits 43a and b?

5 MR. McBRIDE: No objection, Your Honor.

6 THE COURT: Admitted.

7 (Government's Exhibits 43a and 43b admitted.)

8 MR. MANGAN: If we may publish 43B?

9 THE COURT: Yes.

10 (Government's Exhibit 43b was shown on the screen for Jury.)

11 **BY MR. MANGAN:**

12 **Q** Looking at the very bottom, Agent Hull, do you see  
13 where an E-Mail starts at the bottom of that page?

14 **A** I do.

15 **Q** All right. One moment. Okay. And who is the E-Mail  
16 from? What address?

17 **A** jastxyj@gmail.com.

18 **Q** And what is the date?

19 **A** December the 15th, 2013.

20 **Q** Okay. And can you read the content of the E-Mail?

21 **A** "Institution Director Liu, how are you? Please find  
22 the expert's bio attached for the exchange next week."

23 **Q** And then what is the name of the attachment?

24 **A** Benjamin underscore Liang, L-I-A-N-G, dot doc.

25 **Q** And the name Institution Director Liu, is that the

1 same name we saw previously with the AVIC messages?

2 **A** Yes, it is.

3 **Q** And if you can look to the next page, can you identify  
4 based on the resume -- we don't have to turn to it -- but  
5 where was Mr. Liang working at that time?

6 **A** Fokker, which is an aviation company.

7 **Q** Could you spell that?

8 **A** F-O-K-K-E-R.

9 **Q** All right. And did you say they're an aviation  
10 company?

11 **A** They are. They're located in the state of Washington.

12 **Q** All right. If you could then turn --

13 MR. MANGAN: We'll take those down.

14 (Government's Exhibits 43c and 43d marked.)

15 (Government's Exhibits 43c and 43d shown on the screen for  
16 the Court and Witness.)

17 **BY MR. MANGAN:**

18 **Q** If you could look at Exhibits 43c and d. When you  
19 have those, could you explain what those are?

20 **A** 43c are E-Mails between E-Mail account  
21 bingofishing@163.com and the E-Mail account  
22 jastquhui@gmail.com.

23 43c is the original Mandarin, and 43d is the English  
24 translation of the same.

25 MR. MANGAN: Your Honor, we'd move to admit

1 Exhibits 43c and d?

2 MR. McBRIDE: No objection, Your Honor.

3 THE COURT: Admitted.

4 (Government's Exhibits 43c and 43d admitted.)

5 MR. MANGAN: May we publish 43d?

6 THE COURT: Yes.

7 (Government's Exhibit 43d was shown on the screen for Jury.)

8 **BY MR. MANGAN:**

9 **Q** All right. In looking at these E-Mails, I just want  
10 to start at the bottom of page one. We'll just read a  
11 couple selections from these E-Mails.

12 At the bottom what is the date of that E-Mail, Agent  
13 Hull?

14 **A** September the 18 of 2013.

15 **Q** And is it addressed to Mr. Liang?

16 **A** It is.

17 **Q** And if you could read the second paragraph, starting  
18 with "regarding"?

19 **A** "Regarding the invitation via phone last time for you  
20 to give lectures in China, I sincerely hoping you can  
21 make the trip this year.

22 We have already confirmed this with scientific  
23 research units in China and is only pending your  
24 return to China. So before you return for China,  
25 please let me know so that I can make all the

1           arrangements for you. Thanks. Again, wishing you  
2           well, Qu Hui."

3           MR. MANGAN: And could we turn to page two?  
4           (Government's Exhibit 43d page two was shown on the screen  
5           for Jury.)

6           BY MR. MANGAN:

7           Q       Do you see an E-Mail at the top dated October 21,  
8           2013?

9           A       I do.

10          Q       All right. And if you could just read the paragraph  
11          starting with:

12                 "After speaking with you on the phone last time?"

13          A       "After speaking with you on the phone last time, I  
14                 contacted the research institute in Xi'an -- which is  
15                 spelled X-I apostrophe A-N. They looked at your  
16                 resume, and they thought your engineering experience  
17                 would be very helpful to their current project. You  
18                 may resolve some of the challenging issues if we can  
19                 have some exchanges and discussions. That says, I  
20                 applied a specific project expense from the PRC State  
21                 Administration of Foreign Expert Affairs for you to  
22                 return to China for the exchange.

23                 In addition, I have been in contact with you for so  
24                 long, I would like this to work out, both to satisfy  
25                 you and to help China. Thanks. Qu Hui."

1 Q Thank you.

2 MR. MANGAN: If we could finally turn to page  
3 three?

4 (Government's Exhibit 43d page three was shown on the screen  
5 for Jury.)

6 **BY MR. MANGAN:**

7 Q Do you see an E-Mail dated November 4, 2013?

8 A I do.

9 Q And let's look at the bottom paragraph starting with,  
10 regarding your return to China?

11 A "Regarding your return to China, since I have already  
12 applied specific expenses for you to exchange early of  
13 this year, which includes your international airfare  
14 and accommodation while in China, if you can make  
15 arrangements, please come back for an exchange.

16 Xi'an -- X-I, apostrophe A-N -- has looked at your  
17 resume and they are very interested, but since this is  
18 going to be the first time, for long-term  
19 collaboration point of view, they want to further  
20 understand each another.

21 That says, they ask that if you are able to go to  
22 Xi'an -- X-I apostrophe A-N -- and describe the type  
23 of work you did in the past in detail, especially the  
24 most recent projects, and then the technology you  
25 specialize in. That way, they will be able to

1           establish a specific direction of action.

2           I think Xi'an -- X-I apostrophe A-N -- has a good  
3           point of view because the technological collaboration  
4           we hoped for is not superficial, rather, for in-depth  
5           and long-term, which will help the technology  
6           improvement of China. Hope you can do some  
7           preparation for this. Thanks, Qu Hui."

8       **Q**     And, again, Agent Hull, who was Mr. Liang working for  
9           at this time?

10      **A**     Fokker.

11      **Q**     All right. And this is talking about an upcoming  
12           visit in late 2013. Did you also find messages with  
13           Institution Chair Liu regarding this visit?

14      **A**     Yes.

15      **Q**     All right. And if you can take a look at Exhibit 43e?

16           THE COURT: Yes. 43 what?

17           MR. MANGAN: 43e.

18           THE COURT: Very well.

19           (Government's Exhibit 43e marked.)

20           (Government's Exhibit 43e shown on the screen for the Court  
21           and Witness.)

22      **BY MR. MANGAN:**

23      **Q**     Do you have that?

24      **A**     I do.

25      **Q**     Can you identify what this is?

1       **A**       They are messages -- a mix of E-Mail, WeChat --  
2       regarding the visit from Bin Liang.

3               MR. MANGAN: All right. Your Honor, we'd move to  
4       admit 43e?

5               MR. McBRIDE: No objection.

6               THE COURT: Admitted.

7       (Government's Exhibit 43e admitted.)

8               MR. MANGAN: May we publish?

9               THE COURT: Yes.

10      (Government's Exhibit 43e was shown on the screen for Jury.)

11      **BY MR. MANGAN:**

12      **Q**       All right. Agent Hull, this is just a one-pager --  
13      which is good given the time of day -- so if we could start  
14      where the black bar is?

15              MR. MANGAN: If we can zoom in. Thank you, Ms.  
16      Prim.

17      **BY MR. MANGAN:**

18      **Q**       Okay. We'll start after the E-Mails. Do you see a  
19      set of WeChat messages between Xu Yanjun and Liu Chengyu?

20      **A**       I do.

21      **Q**       All right. If you could read the pieces that are in  
22      blue that are sent by Mr. Xu, I will read the responses.

23      **A**       "Institution Chair Liu, we are taking the flight  
24               HU7640 in the afternoon of the 26th. Will be at  
25               Xi'an at 18:20. On the 27th, we will do the

1 exchange for half day, then take the guest to  
2 visit the Terracotta Army. If you have  
3 additional demands, it is possible to increase  
4 the time for exchange. We will spend the night  
5 in Xi'an on the 27th. Division Director Zha and  
6 I will accompany the guest. Two rooms will be  
7 sufficient."

8 **Q** "Okay."

9 "Booked three single rooms for you guys. The  
10 Room price for are Runtian Hotel is high now.  
11 It's about 780 per night but the standard room  
12 is 680. Let me know if you want single rooms or  
13 standard rooms?"

14 "Okay."

15 **A** "I will share the standard room with Division  
16 Director Zha. The guest can stay in a standard  
17 room as well.  
18 Thanks."

19 **Q** "After you landed, the driver will contact you  
20 and take you to Runtian Hotel. Two standard  
21 rooms are booked. You can tell the receptionist  
22 the rooms are booked by Liu Chengyu. You guys  
23 can have dinner by yourselves as I have other  
24 things to work on. We will have the exchange at  
25 the Second Conference room at the hotel at



1 9:00 a.m?

2 Manager Yang will treat you guys for lunch. The  
3 driver will then take you guys to visit the  
4 Terracotta Army and then take you guys to Xi'an.  
5 Also the rent for the conference room is 4,000  
6 Yuan, Manager Yang wants to know if you can take  
7 care of it?"

8 **A** "Thanks, if you can't take care of the conference  
9 fee, we can take care of it."

10 **Q** "Okay. I will confirm that with Manager Yang."

11 "Is the lecture a foreigner or Chinese?"

12 "Chinese American; right?"

13 **A** "Chinese, no problem speaking Chinese."

14 "Yes."

15 **Q** "Got it. Let me ask Manager Yang to participate  
16 in this. After the exchange in the morning, I  
17 can arrange the ride to visit the Terracotta  
18 Army?"

19 **A** "Institution Chair Liu, Division Director Zha has  
20 another unexpected matter and he can't make it.  
21 Little Li from our Division will accompany the  
22 guest instead."

23 **Q** "Got it. I will make sure everybody here knows  
24 you are from Nanjing Science and Technology  
25 Association?"

1       **A**       "Thanks."

2               "The guest doesn't know our identity. I've  
3               approached him in the name of Hui Qu, the Deputy  
4               Secretary General of the Science and Technology  
5               Association.

6       **Q**       All right. Agent Hull, do these messages in late  
7               December 2013, correspond with the E-Mails arranging Mr.  
8               Liang's visit?

9       **A**       Yes, they do.

10      **Q**       That we discussed in the other E-Mails?

11      **A**       Yes.

12      **Q**       I know we didn't read all the E-Mails, but do the  
13               dates correspond?

14      **A**       Yes, they do.

15      **Q**       All right. And in the very last line there, where it  
16               mentions the name and that title, is that the same name and  
17               title that you found on the business card?

18      **A**       Yes, in the home of the GE Aviation engineer.

19               MR. MANGAN: Thank you. Your Honor, I think this  
20               would be a good time to stop.

21               THE COURT: Very well. Ladies and gentlemen of the  
22               Jury, we're going to break for the day. I've been watching  
23               you, and I'm enormously grateful on behalf of the court and  
24               the community for the work you are doing.

25               When you go home tonight, I want you to have a

1 break. I order you not to discuss the case with anyone,  
2 even among yourselves. No independent research. Something  
3 comes on the news, and it won't, step away and enjoy your  
4 break. We need you back here tomorrow by 9:15 so we can get  
5 you at 9:30.

6 Out of respect for you, we'll rise as you leave for  
7 the day.

8 COURTROOM DEPUTY: All rise for the Jury.  
9 (Jury exited the Courtroom.)

10 THE COURT: Jury's left the courtroom. Door is  
11 closed. Are we ready to adjourn for the day from the  
12 Government's perspective?

13 MR. MANGAN: No, Your Honor.

14 THE COURT: No?

15 MR. MANGAN: I'm sorry. I thought you asked if we  
16 had anything further.

17 THE COURT: I asked if you're ready to adjourn and  
18 you said no.

19 MR. MANGAN: Oh. That tells you I'm ready to  
20 adjourn.

21 THE COURT: Okay. Very well. Is the Defense ready  
22 to adjourn for the day?

23 MR. McBRIDE: Absolutely, Your Honor.

24 THE COURT: All right. I don't want the Jury to  
25 see the Defendant in the custody of the Marshals. How can

1 we accomplish that? They're leaving the courtroom.

2 MARSHAL: Are they leaving now or --

3 THE COURT: I don't know. I don't talk to them. I  
4 can't hear you. Should we let them go now, the Marshal and  
5 the Defendant?

6 MS. FRANKIAN: That's fine.

7 (Discussion held off the record.)

8 THE COURT: You'll take the Marshals' elevator.

9 MARSHAL: We'll clear the hallway, Judge.

10 THE COURT: Okay. Thanks. The witness will not  
11 discuss his testimony during the break, and he too will  
12 enjoy a break. Thank you. Is that right?

13 THE WITNESS: (Witness nods head affirmatively.)

14 THE COURT: Very well. We're in recess.

15 COURTROOM DEPUTY: This Court is now in recess.

16 (The trial was recessed at 4:21 p.m.)

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## 1 CERTIFICATE OF REPORTER

2  
3 I, Julie Hohenstein, Federal Official Realtime  
4 Court Reporter, in and for the United States District Court  
5 for the Southern District of Ohio, do hereby certify that  
6 pursuant to Section 753, Title 28, United States Code that  
7 the foregoing is a true and correct transcript of the  
8 stenographically reported proceedings held in the  
9 above-entitled matter and that the transcript page format is  
10 in conformance with the regulations of the Judicial  
11 Conference of the United States.

12  
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14  
15  
16 s/Julie Hohenstein December 3, 2021

17 **JULIE HOHENSTEIN, RPR, CRR, RMR**  
18 FEDERAL OFFICIAL REALTIME COURT REPORTER  
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